



ANNUAL REPORT FORM FOR INDIVIDUAL NPDES PERMITS FOR MUNICIPAL SEPARATE STORM SEWER SYSTEMS (RULE 62-624.600(2), F.A.C.)

- This Annual Report Form must be completed and submitted to the Department to satisfy the annual reporting requirements established in Rule 62-621.600, F.A.C.
- Submit this fully completed and signed form and any REQUIRED attachments by mail to the address in the box at right.
- Refer to the Form Instructions for guidance on completing each section.
- **Please print or type information in the appropriate areas below.**

Submit the form and attachments to:
 Florida Department of Environmental Protection
 Mail Station 2500
 2600 Blair Stone Road
 Tallahassee, Florida 32399-2400

SECTION I. BACKGROUND INFORMATION

A.	Permittee Name: Town of Jupiter Inlet Colony		
B.	Permit Name: Palm Beach County Municipal Separate Storm Sewer System		
C.	Permit Number: FLS000018-003 (Cycle 3)		
D.	Annual Report Year: <input type="checkbox"/> Year 1 <input checked="" type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input type="checkbox"/> Year 4 <input type="checkbox"/> Year 5 <input type="checkbox"/> Other, specify Year:		
E.	Reporting Time Period (month/year): 10/01/11 through 9/30 /12		
F.	Name of the Responsible Authority: Daniel J. Comerford, III		
	Title: Mayor		
	Mailing Address: 1 Colony Road		
	City: Jupiter Inlet Colony	Zip Code: 33469-3507	County: Palm Beach
	Telephone Number: (561) 746-3787		Fax Number: (561) 746-1068
E-mail Address: drcomerford@me.com			
G.	Name of the Designated Stormwater Management Program Contact (if different from Section I.F above): John Pruitt		
	Title: Administrator		
	Department: Administration		
	Mailing Address: 1 Colony Road		
	City: Jupiter Inlet Colony	Zip Code: 33469-3507	County: Palm Beach
	Telephone Number: (561) 746-3787		Fax Number: (561) 746-1068
E-mail Address: pruitjtj@jupiterinletcolony.org			

SECTION II. MS4 MAJOR OUTFALL INVENTORY (Not Applicable In Year 1)

A.	Number of outfalls ADDED to the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable)
B.	Number of outfalls REMOVED from the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable)
C.	Is the change in the total number of outfalls due to lands annexed or vacated? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

SECTION III. MONITORING PROGRAM

Provide a brief statement as to the status of monitoring plan implementation:

The monitoring plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the monitoring information.

Provide a brief discussion of the monitoring results to date:

Please see the Palm Beach County Joint Annual Report for the monitoring information. See Part V of the permit for the monitoring requirements.

Attach a monitoring data summary, as required by the permit. See Joint Annual Report -- Palm Beach County MS4 Permit No. FLS000018-3 (Cycle 3)

SECTION IV. FISCAL ANALYSIS

Total expenditures for the NPDES stormwater management program for the current reporting year: \$ 37,304

DEP Note: If program resources have decreased from the previous year, attach a discussion of the impacts on the implementation of the SWMP as per Part II.F of the permit.

Total budget for the NPDES stormwater management program for the subsequent reporting year: \$ 52,506

SECTION V. MATERIALS TO BE SUBMITTED WITH THIS ANNUAL REPORT FORM

Only the following materials are to be submitted to the Department along with this fully completed and signed Annual Report Form (check the appropriate box to indicate whether the item is attached or is not applicable):

Attached	N/A	***DEP Note: Please complete Checklists A & B at the end of the tailored form.***
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any additional information required to be submitted in this current annual reporting year in accordance with Part III.A of your permit that is not otherwise included in Section VII below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A monitoring data summary as directed in Section III.C above and in accordance with Rule 62-624.600(2)(c), F.A.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Year 1 ONLY: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM) in accordance with Rule 62-624.600(2)(a), F.A.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 3 ONLY: The estimates of pollutant loadings and event mean concentrations for each major outfall or each major watershed in accordance with Rule 62-624.600(2)(b), F.A.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 4 ONLY: Permit re-application information in accordance with Rule 62-624.420(2), F.A.C.

DO NOT SUBMIT ANY OTHER MATERIALS
(such as records and logs of activities, monitoring raw data, public outreach materials, etc.)

SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

The Responsible Authority listed in Section I.F above must sign the following certification statement, as per Rule 62-620.305, F.A.C.:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Responsible Authority (type or print): Daniel J. Comerford, III

Title: Mayor

Signature: *Daniel Comerford*

Date: 12/7/12

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A.	B.					C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity					Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1	Structural Controls and Stormwater Collection Systems Operation								
<p>Maintain an up-to-date inventory of the structural controls and roadway stormwater collection structures operated by the permittee, including, at a minimum, all of the types of control structures listed in Table II.A.1.a of the permit. Report the current known inventory.</p> <p><i>DEP Note: The permittee needs to “customize” this section by adding any structural controls to the list below that are part of the permittee’s MS4 currently or are planned for the future. The permittee may remove any structural controls listed that it does not have currently or will likely not have during this permit cycle. Please see the attached description of each type of structure. In addition, the permittee may choose its own unit of measurement for each structural control to be consistent with the unit of measurement in the documentation. Unit options include: miles, linear feet, acres, etc.</i></p> <p>Report the number of inspection and maintenance activities conducted for each type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained. If the minimum inspection frequencies set forth in Table II.A.1.a were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met.</p> <p><i>DEP Note: If the minimum inspection frequencies set forth in Table II.A.1.a of the permit were not met for one or more type of structure, the permittee must provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met. Please provide the title of the attached explanation in Column D and the name of the entity who finalized the explanation in Column E.</i></p>									
Type of Structure		Number of Activities Performed					Documentation / Record	Entity Performing the Activity	Comments
		Total Number of Structures	Number of Inspections	Percentage Inspected	Number of Maintenance Activities	Percentage Maintained			
Grass treatment swales (miles)		5.6	365 (daily)	100	0	100	Annual Summary Report	Police Department	FY 11/12 Log
Major stormwater outfalls		3	6	100	0	0	Dry Weather Field Screening Forms	Jack Horniman, Town Consultant	FY 11/12 Log
MS4 pipes/culverts (linear feet)		2194	1	100	1	1	Town Drainage Maps	Administration	FY 10/11 Log – 25 feet of pipe replaced in May, 2011
Inlets/catch basins/grates		92	92	100	0	100	Invoices	Shenandoah – private contractor	FY 11/12 Log

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A. Permit Citation/ SWMP Element	B. Permit Requirement/Quantifiable SWMP Activity	C. Number of Activities Performed	D. Documentation / Record	E. Entity Performing the Activity	F. Comments
	<p>ATTACH explanation if any of the minimum inspection frequencies in Table II.A.1.a were <u>not</u> met</p> <p>Year 1 ONLY: Attach a map of all known major outfalls as per Rule 62-624.600(2)(a), F.A.C.</p>	See Above	All documentation listed above	Town Consultant; Administration	All minimum inspection frequencies met or exceeded
		1	Stormwater/Drainage Map is contained in Stormwater Management Plan (SWMP)	Administration	
Part III.A.2	Areas of New Development and Significant Redevelopment				
	<p>Report the number of new development and significant redevelopment projects reviewed by the permittee for post-development stormwater considerations.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. This provision DOES NOT APPLY to Indian Trail Improvement District (ITID), Northern Palm Beach County Improvement District (NPBCID), South Indian River Water Control District (SIRWCD), and FDOT.</i></p>				
	Significant redevelopment projects reviewed	4	Site Plan Review Procedures are contained in SWMP	Administration; Consultants	All single family dwellings
	<p>Provide in the Year 2 Annual Report the summary report of the review of local codes activity. Provide in the Year 4 Annual Report the follow-up report on plan implementation of modifying codes to allow low impact design BMPs.</p> <p><i>DEP Note: Refer to Part III.A.2 of the permit for details regarding what the review entails, and what must be included in the summary report and follow-up report. Please provide the title of the attached report in Column D and the name of the entity who finalized the report in Column E. This provision DOES NOT APPLY to ITID, NPBCID, SIRWCD, and FDOT.</i></p>				
	Year 2 ONLY: Attach the summary report of the review activity	1	SWMP	Town Consultant; Administration	
	Year 4 ONLY: Attach the follow-up report on plan implementation				Not Applicable (N/A)
Part III.A.3	Roadways				

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	<p>Annually review (and revise, as needed) and implement the permittee's written procedures for the litter control program(s) for public streets, roads, and highways, including rights-of-way, employed within the permittee's jurisdictional area and properly dispose of collected material. Implement the program on a monthly, or on an as needed, basis. Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. In addition, the permittee may choose its own units of measurement for the reporting items. Unit options for the amount of litter include: bags, cubic yards, pounds, tons. Unit options for the amount of area covered by the activity include: square feet, linear feet, yards, miles, acres. If all litter collection is performed by staff or by contractors, but not by both, please remove the non-applicable reporting items.</i></p>				
	<p>PERMITTEE Litter Control Program: Frequency of litter collection</p>	<p>Daily</p>	<p>Annual Summary Report</p>	<p>Police Department</p>	<p>Property owners are responsible for litter and trash removal in the swale areas as part of the swale maintenance program. Also, the Police Department patrols all roads on a daily basis. If there is a litter problem, the Police report it on their 'Annual Summary Report' as part of their standard operating procedures (SOPs).</p>
	<p>PERMITTEE Litter Control Program: Estimated amount of area maintained (miles)</p>	<p>5.6</p>	<p>Town Maps</p>	<p>Police Department</p>	
	<p>PERMITTEE Litter Control Program: Estimated amount of litter collected (Bags)</p>	<p>2</p>	<p>Town Maps</p>	<p>Police Department</p>	

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	<p>CONTRACTOR Litter Control Program: Frequency of litter collection</p> <p>CONTRACTOR Litter Control Program: Estimated amount of area maintained (linear feet)</p> <p>CONTRACTOR Litter Control Program: Estimated amount of litter collected (cubic yards) litter collected (cubic yards)</p>	<p>0</p> <p>0</p> <p>0</p>			<p>No Private Contractor</p> <p>N/A</p> <p>N/A</p>
<p>If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected.</p> <p><i>DEP Note: The permittee may choose its own unit of measurement for the amount of litter collected. Unit options include: bags, cubic yards, pounds, tons. If an Adopt-A-Road or similar program is not implemented by the permittee, please note that in Column F but do not remove the Adopt-A-Road Program reporting items.</i></p>					
	<p>Public Lands Clean-Up Day: Estimated amount of litter collected (cu.yds.):</p> <p>Beach Clean-Up Days: Estimated amount of litter collected (# of bags)</p>	<p>30</p> <p>(?) 130</p>	<p>One (1) Roll-Off (capacity 30 cu. yds).</p> <p>Resident Participation Form</p>	<p>Town Administration</p> <p>Town Administration</p>	
<p>Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen (TN) and total phosphorus (TP) loadings that were removed by the collection of sweepings. If no street sweeping program is implemented, provide the explanation of why not in the Year 1 Annual Report.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. Also, the permittee may choose its own unit of measurement for the amount of sweeping material collected. Unit options include: cubic yards, pounds, tons.</i></p> <p><i>DEP Note: If the permittee has curbs and gutters but no street sweeping program is implemented, the permittee must provide an explanation of why not in the Year 1 Annual Report. Refer to Part III.A.3 of the permit for the information that must be included in the explanation (including the alternate BMPs used or planned in lieu of street sweeping). Please provide the title of the attached explanation in Column D and the name of the entity who finalized the explanation in Column E.</i></p>					
	<p>Frequency of street sweeping</p>	<p>0</p>			<p>The Town road-way system is entirely served by grass swales; there are no curb and gutters.</p>

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	<p>Annually review (and revise, as needed) and implement the permittee’s written standard practices to reduce the pollutants in stormwater runoff from areas associated with road repair and maintenance, and from permittee-owned or operated equipment yards and maintenance shops that support road maintenance activities. Report the number of applicable facilities and the number of inspections conducted for each facility.</p> <p><i>DEP Note: The permittee needs to “customize” this section by listing the names of the applicable facilities in Column B and the number of inspections of each facility in Column C. Add more rows if necessary. If “0” is reported in Column C for the number of inspections conducted and the permittee has one or more applicable facilities, please provide an explanation in Column F for why no inspections were conducted. In addition, if the same facility is applicable under both Parts III.A.3 and III.A.5 of the permit, the same site inspection can count towards both inspection requirements as long as it covers the applicable waste area(s). Be sure to report the site inspection under both Parts III.A.3 and III.A.5.</i></p>	<p style="text-align: center;">Number of Inspections</p> <p style="text-align: center;">0</p>			<p>No facilities</p>
Part III.A.4	Flood Control Projects				
	<p>Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not. Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs.</p> <p><i>DEP Note:</i> A “stormwater retrofit project” is one implemented primarily to provide stormwater treatment.</p> <p><i>DEP Note:</i> The status of the flood control and retrofit projects should be reported as of the last day of the applicable reporting period. Therefore, there should be no duplication for those reported as planned, for those reported as under construction and for those reported as completed.</p> <p><i>DEP Note:</i> If applicable, please provide the title of the attached list of flood control projects that did not include stormwater treatment in Column D and the name of the entity who finalized the list in Column E.</p>				
	<p style="text-align: center;">Flood control projects completed during the reporting period</p>	1	Invoice	Lidonna, private contractor	Sinkhole/catch basin repair
	<p style="text-align: center;">Flood control projects completed during the reporting period that did <u>not</u> include stormwater treatment</p>	0			
	<p style="text-align: center;">ATTACH a list of the flood control projects that did <u>not</u> include stormwater treatment and an explanation for each of why it was not</p>				N/A
	<p style="text-align: center;">Stormwater retrofit projects planned</p>	0			No retrofit projects planned
	<p style="text-align: center;">Stormwater retrofit projects under construction during the reporting period</p>	0			No retrofit projects during permit year.
	<p style="text-align: center;">Stormwater retrofit projects completed during the reporting period</p>	0			N/A

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Part III.A.5	Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit																								
	<p>Annually review (and revise, as needed) and implement the permittee's written procedures for inspections and the implementation of measures to control discharges from the following facilities that are not otherwise covered by an NPDES stormwater permit:</p> <ul style="list-style-type: none"> • Operating municipal landfills; • Municipal waste transfer stations; • Municipal waste fleet maintenance facilities; and • Any other municipal waste treatment, waste storage, and waste disposal facilities. <p>Report the number of applicable facilities and the number of the inspections conducted for each facility.</p> <p><i>DEP Note: The permittee needs to "customize" this section by listing the names of the applicable facilities in Column B and the number of inspections of each facility in Column C. Add more rows if necessary. If "0" is reported in Column C for the number of inspections conducted and the permittee has one or more applicable facilities, please provide an explanation in Column F for why no inspections were conducted. An applicable facility under Part III.A.5 includes, but is not limited to, those facilities/yards where street sweeping material and/or yard waste are temporary stockpiled, and where solid waste collection vehicles are parked and/or maintained. In addition, if the same facility is applicable under both Parts III.A.3 and III.A.5 of the permit, the same site inspection can count towards both inspection requirements as long as it covers the applicable waste area(s). Be sure to report the site inspection under both Parts III.A.3 and III.A.5.</i></p> <table border="1" data-bbox="218 776 2022 971"> <thead> <tr> <th data-bbox="218 776 1096 829"></th> <th data-bbox="1096 776 1327 829">Number of Inspections</th> <th data-bbox="1327 776 1577 829"></th> <th data-bbox="1577 776 1801 829"></th> <th data-bbox="1801 776 2022 829"></th> </tr> </thead> <tbody> <tr> <td data-bbox="218 829 1096 883"></td> <td data-bbox="1096 829 1327 883">0</td> <td data-bbox="1327 829 1577 883"></td> <td data-bbox="1577 829 1801 883"></td> <td data-bbox="1801 829 2022 883">No Municipal Facilities</td> </tr> <tr> <td data-bbox="218 883 1096 937"></td> <td data-bbox="1096 883 1327 937"></td> <td data-bbox="1327 883 1577 937"></td> <td data-bbox="1577 883 1801 937"></td> <td data-bbox="1801 883 2022 937"></td> </tr> <tr> <td data-bbox="218 937 1096 990"></td> <td data-bbox="1096 937 1327 990"></td> <td data-bbox="1327 937 1577 990"></td> <td data-bbox="1577 937 1801 990"></td> <td data-bbox="1801 937 2022 990"></td> </tr> </tbody> </table>						Number of Inspections					0			No Municipal Facilities										
	Number of Inspections																								
	0			No Municipal Facilities																					
Part III.A.6	Pesticides, Herbicides, and Fertilizer Application																								
	<p>Continue to require proper certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) for all applicators contracted to apply pesticides, herbicides, or fertilizers on permittee-owned property, as well as any permittee personnel employed in the application of these products. Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed. Report the number of permittee personnel and contractors who have been trained through the Green Industry BMP Program, and the number of contracted commercial applicators of fertilizer who are FDACS certified / licensed.</p> <p><i>DEP Note: If "0" is reported in Column C for any of the reporting items, please include in Column F an explanation of why training was not provided to / obtained by personnel and contractors during the applicable reporting year, the most recent year that training / certification was previously provided / obtained, and the names of the personnel and contractors previously trained / certified.</i></p> <table border="1" data-bbox="218 1284 2022 1448"> <tbody> <tr> <td data-bbox="218 1284 1096 1393">PERSONNEL: Florida Department of Agriculture and Consumer Services (FDACS) certified applicators of pesticides and herbicides</td> <td data-bbox="1096 1284 1327 1393">0</td> <td data-bbox="1327 1284 1577 1393"></td> <td data-bbox="1577 1284 1801 1393"></td> <td data-bbox="1801 1284 2022 1393">None performed by Town – services contracted out.</td> </tr> <tr> <td data-bbox="218 1393 1096 1448">CONTRACTORS: FDACS certified / licensed applicators of pesticides and herbicides</td> <td data-bbox="1096 1393 1327 1448">2</td> <td data-bbox="1327 1393 1577 1448">Certifications/Licenses</td> <td data-bbox="1577 1393 1801 1448">Nozzle Nolen and Emerald Gardens</td> <td data-bbox="1801 1393 2022 1448">FY 11/12 Log</td> </tr> </tbody> </table>					PERSONNEL: Florida Department of Agriculture and Consumer Services (FDACS) certified applicators of pesticides and herbicides	0			None performed by Town – services contracted out.	CONTRACTORS: FDACS certified / licensed applicators of pesticides and herbicides	2	Certifications/Licenses	Nozzle Nolen and Emerald Gardens	FY 11/12 Log										
PERSONNEL: Florida Department of Agriculture and Consumer Services (FDACS) certified applicators of pesticides and herbicides	0			None performed by Town – services contracted out.																					
CONTRACTORS: FDACS certified / licensed applicators of pesticides and herbicides	2	Certifications/Licenses	Nozzle Nolen and Emerald Gardens	FY 11/12 Log																					

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	CONTRACTORS: FDACS certified / licensed applicators of fertilizer	0			Requirement being implemented for next permit reporting period
	PERSONNEL: Green Industry BMP Program training completed	0			No fertilizers applied by Town personnel; services contracted out
	CONTRACTORS: Green Industry BMP Program training completed	0			N/A until 12/31/13
<p>Pursuant to SB 2080 (2009), all local governments are encouraged to adopt a Florida-friendly Landscaping Ordinance similar to the one set forth in the document "Florida-friendly Guidance Models for Ordinances, Covenants and Restrictions." If the broader Florida-friendly ordinance described above is not adopted, then <u>all local governments within the watershed of a nutrient-impaired water body</u> shall adopt the Department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes pursuant to SB 494 (2009) or an ordinance that includes all of the requirements set forth in the Model Ordinance. <u>The ordinance shall be adopted within 24 months of the date of permit issuance.</u> Provide a copy of the adopted ordinance with the subsequent Year 1 or Year 2 Annual Report.</p> <p><i>DEP Note: This provision DOES NOT APPLY to ITID, NPBCID, SIRWCD, and FDOT. For all other permittees, if this provision is not applicable because the permittee is not within the watershed of a nutrient-impaired water body, then please indicate that in Column F, but do not remove this reporting item.</i></p> <p><i>DEP Note: Please provide the title and citation of the ordinance in Column D, and the name of the entity who finalized the ordinance in Column E.</i></p>					
	Year 1 or Year 2 ONLY: Attach copy of adopted Florida-friendly ordinance	0	0	0	Town in process to adopt in FY 12/13

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<p>During Year 1 of the permit, develop and implement a written public education and outreach program plan to encourage citizens to reduce their use of pesticides, herbicides, and fertilizers. Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage citizens to reduce their use of pesticides, herbicides, and fertilizers, including the type and number of activities conducted, the type and number of materials distributed, the percentage of the population reached by the activities in total, and the number of Web site visits (if applicable). Activities performed under the Florida Yards and Neighborhoods (FYN) program should only be reported if the permittee is contributing funding towards the FYN staff and program within its jurisdiction.</p> <p><i>DEP Note: The permittee should "customize" the list of public outreach activities by removing items or adding items to the list below as appropriate to their particular public outreach program. However, the reporting item of "Estimated percentage of the population reached by the activities in total" must remain unless the permittee chooses to reference the PBC Joint AR, as demonstrated in the first reporting item below. The permittee may add more specifics to the reporting items, such as the name of the brochure or newsletter distributed. If "0" is reported in Column C for all the reporting items, and the PBC Joint AR is not referenced, please include in Column F an explanation for why no outreach was performed.</i></p> <p><i>DEP Note: All the permittees may refer to the PBC Joint AR in place of reporting individual items as demonstrated in the row below. The permittees may remove all reporting items except the first reporting item if they include reference to the PBC Joint AR. However, a permittee can choose to also report any outreach activities it performs in addition to the joint effort – in such a case, please keep the reporting items that are applicable.</i></p> <p><i>DEP Note: Indicate under Column E "Entity Performing the Activity" if FYN or IFAS is performing any of the reported public education and outreach activities. In addition, please complete the following line:</i></p> <p style="text-align: center;">FYN PROGRAM FUNDING: Permittee Provides Funding? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Amount of Funding = \$</p>				
	<p style="text-align: center;">Public education and outreach program</p> <p>Estimated percentage of the population reached by the activities in total</p> <p style="text-align: center;">Brochures/Flyers/Fact sheets distributed</p> <p>Newspapers & newsletters: Number of articles/notices published</p>	<p>The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.</p> <p style="text-align: center;">100</p> <p style="text-align: center;">53</p> <p style="text-align: center;">(?) 5</p>	<p style="text-align: center;">Brochures/Flyers/ Newsletters/Web Site</p> <p style="text-align: center;">Brochures/Flyers</p> <p style="text-align: center;">Inlet/Outlet Newsletters</p>	<p style="text-align: center;">Palm Beach County Solid Waste Authority (PBCSWA); Florida Department of Environmental Protection (FDEP); Town Administration</p> <p style="text-align: center;">PBCSWA and FDEP</p> <p style="text-align: center;">Town residents</p>	<p>Jupiter Inlet Colony's (JIC) population is 390 (2012 University of Florida Bureau of Economic and Business Research (BEBR) estimate); all property owners mailed copies newsletters; FY 11/12 Log</p> <p style="text-align: center;">FY 11/12 Log</p> <p style="text-align: center;">FY 11/12 Log</p>

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A. Permit Citation/ SWMP Element	B. Permit Requirement/Quantifiable SWMP Activity	C. Number of Activities Performed	D. Documentation / Record	E. Entity Performing the Activity	F. Comments
	Newsletters: Number of newsletters distributed	228	Inlet/Outlet Newsletter	Town Administration	FY 11/12 Log
	Public displays (e.g., kiosks, storyboards, posters, etc.)	1	Display Rack at Town Hall	Town Administration	
	Web Site: Number of hits/visitors to the stormwater-related pages	0	Web site	Town Administration	Web site just established in April, 2011 – stormwater-related information added to web site in FY 11/12
<p>During Year 1 of the permit, develop and implement a written plan for the training of all permittee personnel applicators and contracted applicators to emphasize the stormwater implications of pesticide, herbicide and fertilizer application. Follow up training shall be provided annually. Training to obtain or maintain an FDACS certificate and/or license does not satisfy this requirement. Report the number of permittee personnel applicators and contracted applicators who participated in training on the stormwater implications of pesticide, herbicide and fertilizer application (both in-house and outside training).</p> <p><i>DEP Note: This permit requirement has been removed from other Phase I MS4 permits that were reissued after the Palm Beach County MS4 permit since recent changes to the FDACS certification / licensing program have allowed it to adequately fulfill this requirement. Therefore, at this time, this permit requirement does not need to be implemented.</i></p>					
Part III.A.7.a	Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures				
	Where applicable, strengthen the legal authority to conduct inspections, conduct monitoring, control illicit discharges, illicit connections, illegal dumping and spills into the MS4 and to require compliance with conditions in ordinances, permits, contracts, and orders. Report amendments, as needed.				
	<i>DEP Note: If applicable, please provide the title of the attached report in Column D and the name of the entity who finalized the report in Column E.</i>				
	ATTACH a report on any amendments to the applicable legal authority	0	SWMP	Town Commission	No amendments since original adoption
Part III.A.7.c	Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal				

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<p>During Year 1 of the permit, develop and implement a written proactive inspection program plan for identifying and eliminating sources of illicit discharges, illicit connections, or dumping to the MS4. Report on the proactive inspection program, including the number of inspections conducted, the number of illicit activities found, and the number and type of enforcement actions taken.</p> <p><i>DEP Note:</i> If "0" is reported in Column C for the first reporting item, please include an explanation in Column F for why no proactive inspections were performed. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary.</p> <p><i>DEP Note:</i> Proactive inspections may include, for example, suspect areas (e.g., industrial areas), commercial businesses (e.g., restaurants, car washes, service stations, laundries / dry cleaners, auto body shops, mobile carpet cleaners) or temporary activities (e.g., special events / fairs / circus) that would not otherwise be inspected during routine inspections and maintenance of the MS4, in association with high risk industrial facilities or construction sites, or in response to citizen or staff reports.</p> <p><i>DEP Note:</i> Refer to Part III.A.7.c of the permit for what must be included in the written proactive inspection program plan. Please provide the title of the attached plan in Column D and the name of the entity who finalized the plan in Column E.</p>				
	<p>Proactive inspections for suspected illicit discharges / connections / dumping</p>	6	Dry Weather Field Screening Forms	Town Consultant	FY 11/12 Log; there is no commercial or industrial development in Town
	<p>Illicit discharges / connections / dumping found during a proactive inspection</p>	0			None found.
	<p>Notices of Violation (NOVs) / warning letters / citations issued for illicit discharges / connections / dumping found during a proactive inspection</p>	0			None issued.
	<p>Fines issued for illicit discharges / connections / dumping found during a proactive inspection</p>	0			No fines issued.
	<p>Year 1 ONLY: Attach the written proactive inspection program plan</p>	1	Proactive Inspection Program	Administration	
	<p>Annually review (and revise, as needed) and implement the permittee's written procedures to conduct reactive investigations to identify and eliminate the source(s) of illicit discharges, illicit connections or improper disposal to the MS4, based on reports received from permittee personnel, contractors, citizens, or other entities regarding suspected illicit activity. Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken.</p> <p><i>DEP Note:</i> If the number of reports received differs from the number of reactive investigations, please provide an explanation for the discrepancy in Column F. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary.</p>				
	<p>Reports of suspected illicit connections / discharges / dumping received</p>	0			None reported.
	<p>Reactive investigations of reports of suspected illicit discharges/ connections / dumping</p>	0			No investigations
	<p>Illicit discharges / connections / dumping found during a reactive investigation</p>	0			None found.

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity		Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Notices of Violation (NOVs) / warning letters / citations issued for illicit discharges / connections / dumping found during a reactive investigation		0			None issued
	Fines issued for illicit discharges / connections / dumping found during a reactive investigation		0			No fines issued
	<p>During Year 1 of the permit, develop and implement a written plan for the training of all appropriate permittee personnel (including field crews, fleet maintenance staff, and inspectors) and contractors to identify and report conditions in the stormwater facilities that may indicate the presence of illicit discharges / connections / dumping to the MS4. Follow-up training shall be provided annually. Report the number and type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training).</p> <p><i>DEP Note: If "0" is reported for either reporting item, please include in Column F an explanation of why training was not provided to / obtained by personnel and contractors during the applicable reporting year, the most recent year that training was previously provided / obtained, and the names of the personnel and contractors previously trained.</i></p>					
		Initial Training	Refresher Training			
	Personnel trained	2	0	Municipal Stormwater Pollution Prevention Video-Storm Watch	Town Administrator; Police Chief	Initially trained in FY 06/07.
	Contractors trained	1	0	Municipal Stormwater Pollution Prevention Video-Storm Watch	Town Consultant	Initially trained in FY 06/07 and 1 trained in FY 09/10.
Part III.A.7.d	Illicit Discharges and Improper Disposal — Spill Prevention and Response					
	<p>Annually review (and revise, as needed) and implement the permittee's written spill-prevention/spill-response plan and procedures to prevent, contain, and respond to spills that discharge into the MS4. Report on the spill prevention and response activities, including the number of spills addressed.</p> <p><i>DEP Note: The permittee may report the number of hazardous material spills separately from the number of non-hazardous material spills, or report one combined number, to more accurately reflect its tracking of these spills.</i></p>					
	Hazardous and non-hazardous material spills responded to	0	Village of Tequesta (VOT) Fire Rescue	PBC Fire Rescue	No incidents	
	<p>During Year 1 of the permit, develop and implement a written plan for the training of all appropriate permittee personnel (including field crews, firefighters, fleet maintenance staff and inspectors) and contractors on proper spill prevention, containment, and response techniques and procedures. Follow-up training shall be provided annually. Report the number and type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training).</p> <p><i>DEP Note: If "0" is reported for either reporting item, please include in Column F an explanation of why training was not provided to / obtained by personnel and contractors during the applicable reporting year, the most recent year that training was previously provided / obtained, and the names of the personnel and contractors previously trained.</i></p>					
		Initial Training	Refresher Training			

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity		Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments	
	Personnel trained	2	0		Municipal Stormwater Pollution Prevention Video-Storm Watch	Town Administrator; Police Chief	Initially trained in FY 06/07.
	Contractors trained	1	0		Municipal Stormwater Pollution Prevention Video-Storm Watch	Town Consultant	1 trained in FY 06/07 and 1 trained in FY 09/10.
Part III.A.7.e	Illicit Discharges and Improper Disposal — Public Reporting						
	<p>During Year 1 of the permit, develop and implement a written public education and outreach program plan to promote, publicize, and facilitate public reporting of the presence of illicit discharges and improper disposal of materials into the MS4. Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, the percentage of the population reached by the activities in total, and the number of Web site visits (if applicable).</p> <p><i>DEP Note: The permittee should "customize" the list of public outreach activities by removing items or adding items to the list below as appropriate to their particular public outreach program. However, the reporting item of "Estimated percentage of the population reached by the activities in total" must remain unless the permittee chooses to reference the PBC Joint AR, as demonstrated in the first reporting item below. The permittee may add more specifics to the reporting items, such as the name of the brochure or newsletter distributed. If "0" is reported in Column C for all the reporting items, and the PBC Joint AR is not referenced, please include in Column F an explanation for why no outreach was performed.</i></p> <p><i>DEP Note: All the co-permittees may refer to the PBC Joint AR in place of reporting individual items as demonstrated in the first line below. The co-permittees may remove all the other reporting items except the first one if they include reference to the PBC Joint AR. However, a permittee can choose to also report any outreach activities it performs in addition to the joint effort – in such a case, please keep the reporting items that are applicable.</i></p>						
	Public education and outreach program			The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.			
	Estimated percentage of the population reached by the activities in total			100	Brochures/Flyers/ Newsletters/Web Site	PBCSWA; FDEP; Town Administration.	JIC population is 390 (University of Florida BEBR estimate); all property owners mailed copies of newsletters; FY 11/12 Log
	Brochures/Flyers/Fact sheets distributed			53	Brochures/Flyers	PBCSWA and FDEP.	FY 11/12 Log
	Newspapers & newsletters: Number of articles/notices published			(?) 5	Inlet/Out Newsletter	Town residents	FY 11/12 Log

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A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<p>Newsletters: Number of newsletters distributed</p> <p>Public displays (e.g., kiosks, storyboards, posters, etc.)</p> <p>Web Site: Number of visitors to the stormwater-related pages</p>	228	Inlet/Outlet Newsletter	Town Administration	FY 11/12 Log
		1	Display Rack at Town Hall	Town Administration	FY 11/12 Log
		0	Web site	Town Administration	Web site recently established. Stormwater-related information added to web site during permit year.
Part III.A.7.f	Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control				
	<p>During Year 1 of the permit, develop and implement a written public education and outreach program plan to encourage the proper use and disposal of used motor vehicle fluids, leftover hazardous household products, and lead acid batteries. Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, the percentage of the population reached by the activities in total, and the number of Web site visits (if applicable).</p> <p><i>DEP Note: The permittee should "customize" the list of public outreach activities by removing items or adding items to the list below as appropriate to their particular public outreach program. However, the reporting item of "Estimated percentage of the population reached by the activities in total" must remain unless the permittee chooses to reference the PBC Joint AR, as demonstrated in the first reporting item below. The permittee may add more specifics to the reporting items, such as the name of the brochure or newsletter distributed. If "0" is reported in Column C for all the reporting items, and the PBC Joint AR is not referenced, please include in Column F an explanation for why no outreach was performed.</i></p> <p><i>DEP Note: All the co-permittees may refer to the PBC Joint AR in place of reporting individual items as demonstrated in the first line below. The co-permittees may remove all the other reporting items if they include reference to the PBC Joint AR. However, a permittee can choose to also report any outreach activities it performs in addition to the joint effort – in such a case, please keep the reporting items that are applicable.</i></p>				
	<p>Public education and outreach program</p> <p>Estimated percentage of the population reached by the activities in total</p>	100	Brochures/Flyers/ Newsletters/Web Site	PBCSWA;FDEP; Town Administration	The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information. JIC population is 390 (2012 University of Florida BEBR estimate); all property owners mailed copies of newsletters; FY 11/12 Log

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<p align="center">Brochures/Flyers/Fact sheets distributed</p> <p align="center">Newspapers & Newsletters: Number of articles/notices published</p> <p align="center">Newsletters: Number of newsletters distributed</p> <p align="center">Public displays (e.g., kiosks, storyboards, posters, etc.)</p> <p align="center">Web Site: Number of visitors to the stormwater-related pages</p>	53	Brochures/Flyers	PBCSWA and FDEP.	FY 11/12 Log
		(?) 5	Inlet/Outlet Newsletters	Town residents	FY 11/12 Log
		228	Inlet/Outlet Newsletters	Town Administration	FY 11/12 Log
		1	Display Rack at Town Hall	Town Administration	FY 11/12 Log
		0	Web site	Town Administration	Web site recently established. Stormwater-Related information added to site during permit year
Part III.A.7.g	Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage				
	<p>Annually review (and revise, as needed) and implement the permittee’s written procedures to reduce or eliminate sanitary wastewater contamination into the MS4, including discharges to the MS4 from sanitary sewer overflows (SSOs) and from inflow / infiltration from collection / transmission systems and/or septic tank systems. Advise the appropriate utility owner of a violation if constituents common to wastewater contamination are discovered in the MS4. Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee’s jurisdiction.</p> <p><i>DEP Note: The permittee needs to “customize” this section as it pertains to the type of activities undertaken to reduce or eliminate SSOs and inflow / infiltration into the MS4. The first three reporting items below are examples.</i></p> <p><i>DEP Note: The permittee should contact the appropriate authorities for accurate reporting information, such as the sanitary sewer system operator who is responsible for investigating and eliminating SSOs and the local health department who is responsible for permitting / overseeing septic tank systems.</i></p> <p><i>DEP Note: Report only the SSOs and inflow / infiltration incidents into the MS4.</i></p>				
	Activity to reduce/eliminate SSOs and inflow / infiltration: Repair / lining of sanitary sewer system	0			All properties served by septic tank systems.
	Activity to reduce/eliminate SSOs and inflow / infiltration: Septic systems removed	0			None removed.
	Activity to reduce/eliminate SSOs and inflow / infiltration: Emergency generator added	0			N/A
	SSO incidents discovered	0			None discovered
	SSO incidents resolved	0			N/A
	Inflow / infiltration incidents discovered	0			None discovered
	Inflow / infiltration incidents resolved	0			N/A

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity		Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Name of owner of the sanitary sewer system		Individual property owners of septic tank systems.			
Part III.A.8.a	Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections					
	<p>Continue to maintain an up-to-date inventory of all existing high risk facilities discharging into the permittee's MS4. The inventory shall identify the outfall and surface water body into which each high risk facility discharges. For the purposes of this permit, high risk facilities include:</p> <ul style="list-style-type: none"> • Operating municipal landfills; • Hazardous waste treatment, storage, disposal and recovery facilities; • Facilities that are subject to EPCRA Title III, Section 313 (also known as the Toxics Release Inventory (TRI) maintained by the U.S. EPA); and • Any other industrial or commercial discharge that the permittee determines is contributing a substantial pollutant loading to the permittee's MS4. This could include facilities identified through the proactive inspection program as per Part III.A.7.c of the permit. <p>Report on the high risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year.</p> <p><i>DEP Note: The TRI is updated every spring / summer by the U.S. EPA at www.epa.gov/triexplorer. Select "Facility" on the left, chose your Geographic Location, and then select "Generate Report." Please indicate in Column F when (month / year) you last checked EPA's TRI for applicable facilities.</i></p> <p><i>DEP Note: The total number of high risk facilities reported needs to equal the sum of the numbers of the four types of applicable facilities.</i></p> <p>During Year 1 of the permit, develop and implement a written plan for conducting inspections of high risk facilities to determine compliance with all appropriate aspects of the stormwater program. While the permittee may determine the order and frequency of the inspections, the permittee shall inspect each identified facility at least once during the permit term; however, facilities identified as high risk due to the findings of the proactive inspection program as per Part III.A.7.c of the permit shall be inspected annually. Report on the high risk facilities inspection program, including the number of inspections conducted and the number and type of enforcement actions taken.</p> <p><i>DEP Note: If "0" is reported for the number of inspections conducted and the permittee has one or more high risk facilities, please provide an explanation in Column F for why no inspections were conducted. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary</i></p>					
		Number of Facilities	Number of Inspections	For violations discovered during a high risk inspection		
				Fines issued	Notices of Violation (NOVs) / warning letters / citations issued	
	Total high risk facilities	0				No High Risk Facilities; no existing commercial or industrial sites in Town.
	New high risk facilities added to the inventory during the current reporting period	0				No new High Risk Facilities.

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity				Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments			
	Operating municipal landfills	0						No landfills			
	Hazardous waste treatment, storage, disposal and recovery (HWTSDR) facilities	0						No hazard waste treatment facilities.			
	EPCRA Title III, Section 313 facilities (that are not landfills or HWTSDR facilities)	0						No EPCRA facilities.			
	Facilities determined as high risk by the permittee through the proactive inspections as per Part III.A.7.c	0						No facilities.			
	Other facilities determined as high risk by the permittee (that are not facilities identified through the proactive inspections)	0						No other High Risk Facilities.			
Part III.A.8.b	Industrial and High-Risk Runoff — Monitoring for High Risk Industries										
	Sampling of the discharge to the stormwater system may be required on an as-needed basis in the event that inspections of high-risk facilities disclose suspected illicit discharges to the MS4. New high-risk industrial facilities as defined in 40 CFR 122.26(d)(2)(iv)(C) must be evaluated to determine if the new discharge is contributing a substantial pollutant load to the MS4. The evaluation may include site-specific monitoring. Report the number of high risk facilities sampled.										
	High risk facilities sampled	0			0			No High Risk Facilities.			
Part III.A.9.a	Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices										
	Continue to implement the local codes or land development regulations and the written pre-construction site plan review procedures that require the use and maintenance of appropriate structural and non-structural erosion and sedimentation controls during construction to reduce the discharge of pollutants to the MS4. Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved.										
	<i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C.</i>										
	PERMITTEE SITES: Construction site plans reviewed				0						N/A
	PERMITTEE SITES: Construction site plans approved				0						N/A
	PRIVATE SITES: Construction site plans reviewed				4			Notations on construction site plans and /or construction plan report, if necessary	Town Building Official		
PRIVATE SITES: Construction site plans approved				4			Notations on construction site plans and/or construction plan report, if necessary	Town Building Official			

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<p>Annually review (and revise, as needed) and implement the permittee's written procedures to notify all new development / redevelopment permit applicants of the need to obtain all required stormwater permits. Report the number of new development/redevelopment permit applicants notified of the ERP and CGP, and the number of applicants who confirmed ERP and CGP coverage.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. If the number of applicants notified of ERP or CGP coverage is less than the number of construction site plans reviewed, please provide an explanation for the discrepancy in Column F.</i></p>				
	<p>Notified of ERP stormwater permit requirements</p>	0			No new development or redevelopment applied for during permit year
	<p>Confirmed ERP coverage</p>	0			N/A
	<p>Notified of CGP stormwater permit requirements</p>	0			No new development or redevelopment applied for during permit year
	<p>Confirmed CGP coverage</p>	0			N/A
<p>Part III.A.9.b</p>	<p>Construction Site Runoff — Inspection and Enforcement</p>				
	<p>As an attachment to the Year 1 Annual Report, the permittee shall submit a written plan that details the standard operating procedures for implementation of the stormwater, erosion and sedimentation inspection program for construction sites discharging stormwater to the MS4. The permittee shall implement the plan for inspecting construction sites <u>immediately upon written approval by the Department</u>. Prior to Department approval, the permittee shall continue to perform inspections in accordance with its previously developed construction site inspection procedures. Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken.</p> <p><i>DEP Note: If "0" is reported in Column C for the number of inspections conducted, please provide an explanation in Column F of why no inspections were conducted. If the number of inspections reported is equal to or less than the number of active construction sites, or the percentage inspected is less than 100%, please provide an explanation in Column F. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary.</i></p> <p><i>DEP Note: Refer to Part III.A.9.b of the permit for what must be included in the construction site inspection program plan. Please provide the title of the attached plan in Column D and the name of the entity who finalized the plan in Column E.</i></p>				
	<p>PERMITTEE SITES: Active construction sites</p>	0			No active construction sites during permit year
	<p>PERMITTEE SITES: Inspections of active construction sites for proper stormwater, erosion and sedimentation BMPs</p>	0			N/A

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity			Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	PERMITTEE SITES: Percentage of active construction sites inspected			0			N/A
	PRIVATE SITES: Active construction sites			0			No active construction sites during permit year
	PRIVATE SITES: Inspections of active construction sites for proper stormwater, erosion and sedimentation BMPs			0			N/A
	PRIVATE SITES: Percentage of active construction sites inspected			0			N/A
	Notices of Violation (NOVs) / warning letters / citations issued			0			N/A
	Stop Work Orders issued			0			N/A
	Fines issued			0			N/A
	Year 1 ONLY: Attach the written construction site inspection program plan			1	Construction Site Inspection Plan and Inspection Form	Town Building Official	
Part III.A.9.c	Construction Site Runoff — Site Operator Training						
	<p>During Year 1 of the permit, develop and implement a written plan for stormwater training / outreach for construction site plan reviewers, site inspectors and site operators. Provide training for permittee personnel (employed by <u>or under contract with</u> the permittee) and private persons involved in the site plan review, inspection or construction of stormwater management, erosion, and sedimentation controls. All inspectors of construction sites shall be certified through the Florida Stormwater, Erosion, and Sedimentation Control Inspector Training program, or an equivalent program approved by the Department. Follow-up training shall be provided annually. Report the number and type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training), and the number of private persons trained by the permittee.</p> <p><i>DEP Note: If "0" is reported for any of these reporting items, please include in Column F an explanation of why training was not provided to / obtained by the permittee's staff and private persons during the applicable reporting year.</i></p> <p><i>DEP Note: The permittee should report only the number of staff and private persons (i.e., private construction site operators) trained / certified during the applicable reporting year, and then note in Column F the number of staff and private persons who were previously trained / certified. Private site operator training can include pre-construction meetings.</i></p>						
		Certification Training	Initial Training (non-certification)	Refresher Training			
	Permittee construction site inspectors	1	1	1		PBC Steering Committee	Cheryl Moore/State Certified Trainer Jack Horniman, Inspector Number 21830
	Permittee construction site plan reviewers	1	1	1		PBC Steering Committee	PBC Steering Committee
	Permittee construction site operators	0					Contracted out
	Private persons	0					N/A

SECTION VIII. CHANGES TO THE STORMWATER MANAGEMENT PROGRAM (SWMP) ACTIVITIES (Not Applicable In Year 4)

A.	Permit Citation/ SWMP Element	Proposed Changes to the Stormwater Management Program Activities Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) — REQUIRES DEP APPROVAL PRIOR TO CHANGE IF PROPOSING TO REPLACE OR DELETE AN ACTIVITY. <i>DEP Note: There may be changes deemed necessary after developing / reviewing your plans and SOPs as per Part III.A of the permit, after completing your SWMP evaluation as per Part VI.B.2 of the permit, or due to a TMDL / BMAP as per Part VIII.B of the permit.</i>
	N/A	N/A
B.	Permit Citation/ SWMP Element	Changes to the Stormwater Management Program Activities NOT Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) <i>DEP Note: There may be changes deemed necessary after developing / reviewing your plans and SOPs as per Part III.A of the permit, after completing your SWMP evaluation as per Part VI.B.2 of the permit, or due to a TMDL / BMAP as per Part VIII.B of the permit.</i>
	N/A	N/A

CHECKLIST A: ATTACHMENTS TO BE SUBMITTED WITH THE ANNUAL REPORTS

Below is a list of items required by the permit that may need to be attached to the annual report. Please check the appropriate box to indicate whether the item is attached or is not applicable for the current reporting period. Please provide the number and the title of the attachments in the blanks provided.

Attached	N/A	Rule / Permit Citation	Required Attachment	Attachment Number	Attachment Title
	X	Part II.F	EACH ANNUAL REPORT: If program resources have decreased from the previous year, a discussion of the impacts on the implementation of the SWMP.		
	X	Part III.A.1	EACH ANNUAL REPORT: An explanation of why the minimum inspection frequency in Table II.A.1.a was not met, if applicable.		
	X	Part III.A.4	EACH ANNUAL REPORT: A list of the flood control projects that did not include stormwater treatment and an explanation for each of why it did not, if applicable.		
	X	Part III.A.7.a	EACH ANNUAL REPORT: A report on amendments / changes to the legal authority to control illicit discharges, connections, dumping, and spills, if applicable.		
X		Part V.B.9	EACH ANNUAL REPORT: Reporting and assessment of monitoring results. [Also addressed in Section III of the Annual Report Form]	N/A	Refer to Joint Report
X		Part VI.B.2	EACH ANNUAL REPORT: An evaluation of the effectiveness of the SWMP in reducing pollutant loads discharged from the MS4 that, <u>at a minimum</u> , must include responses to the questions listed in the permit.	1	SWMP Effectiveness
	X	Part VIII.B.3.e	EACH ANNUAL REPORT: A status report on the implementation of the requirements in this section of the permit and on the estimated load reductions that have occurred for the pollutant(s) of concern.		
	X	Part VIII.B.4.f	EACH ANNUAL REPORT after approval of the BPCP: The status of the implementation of the Bacterial Pollution Control Plan (BPCP).		
X		Rule 62-624.600(2)(a), F.A.C.	YEAR 1: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM).	2	Stormwater/Drainage Map
	X	Part III.A.3	YEAR 1: If have curbs and gutters but no street sweeping program, an explanation of why no street sweeping program and the alternate BMPs used or planned.		
	X	Part III.A.6	YEAR 1 or YEAR 2: A copy of the adopted Florida-friendly Ordinance, if applicable.		
X		Part III.A.7.c	YEAR 1: A proactive illicit discharge / connection / dumping inspection program plan.	3	Proactive Illicit Program
X		Part III.A.9.b	YEAR 1: A construction site inspection program plan. [For approval by DEP]	4	Construction Inspection Program
	X	Part III.A.2	YEAR 2: A summary report of a review of codes and regulations to reduce the stormwater impact from new development / redevelopment.		
	X	Part V.A.2	YEAR 3: Estimates of annual pollutant loadings and EMCs, and a table comparing the current calculated loadings with those from the previous two Year 3 ARs.		
	X	Part III.A.2	YEAR 4: A follow-up report on plan implementation of changes to codes and regulations to reduce the stormwater impact from new development / redevelopment.		
	X	Part V.A.3	YEAR 4: If the total annual pollutant loadings have not decreased over the past two permit cycles, revisions to the SWMP, as appropriate.		
	X	Part V.B.3	YEAR 4: The monitoring plan (with revisions, if applicable).		
	X	Part VII.C	YEAR 4: An application to renew the permit.		
	X	Part VIII.B.3.d	YEAR 4: A TMDL Implementation Plan / Supplemental SWMP.		

CHECKLIST B: THE REQUIRED ANNUAL REVIEWS OF WRITTEN STANDARD OPERATING PROCEDURES (SOPs) & PLANS

The permit requires annual review, and revision if needed, of written Standard Operating Procedures (SOPs) and plans (e.g., public education and outreach, training, inspections). Please indicate your review status below. **If you have made revisions that need DEP approval, you must complete Section VIII.A of the annual report.**

Did not complete review of existing SOP / Plan	Developed <u>new</u> written SOP / Plan	Reviewed & <u>no revision needed</u> to existing SOP / Plan	Reviewed & <u>revised</u> existing SOP / Plan	Permit Citation	Description of Required SOPs / Plans
		X		Part III.A.1	SOP and/or schedule of inspections and maintenance activities of the structural controls and roadway stormwater collection system.
		X		Part III.A.2	SOP for development project review and permitting procedures and/or local codes and regulations for new development / areas of significant development.
			X	Part III.A.3	SOP for the litter control program.
X				Part III.A.3	SOP for the street sweeping program. Not Applicable, No Curb & Gutter
X				Part III.A.3	SOP for inspections of equipment yards and maintenance shops that support road maintenance activities. Not Applicable, No Facilities
X				Part III.A.5	SOP for inspections of waste treatment, storage, and disposal facilities not covered by an NPDES stormwater permit. Not Applicable
			X	Part III.A.6	Plan for public education and outreach on reducing the use of pesticides, herbicides and fertilizer
N/A	N/A	N/A	N/A	Part III.A.6	Plan for pesticide, herbicide and fertilizer application training <i>DEP Note: A plan is not necessary since the FDACS certification / licensing program adequately fulfills the permit requirement.</i>
		X		Part III.A.6	SOP for reducing the use of pesticides, herbicides and fertilizer, and for the proper application, storage and mixing of these products.
	X			Part III.A.7.c	Plan for proactive illicit discharge / connections / dumping inspections.*
		X		Part III.A.7.c	SOP for reactive illicit discharge / connections / dumping investigations.
		X		Part III.A.7.c	Plan for illicit discharge training.
		X		Part III.A.7.d	SOP for spill prevention and response efforts.
		X		Part III.A.7.d	Plan for spill prevention and response training.
		X		Part III.A.7.e	Plan for public education and outreach on how to identify and report the illicit discharges and improper disposal to the MS4.

		X		Part III.A.7.f	Plan for public education and outreach on the proper use and disposal of oils, toxics and household hazardous waste.
		X		Part III.A.7.g	SOP to reduce / eliminate sanitary wastewater contamination of the MS4.
X				Part III.A.8	SOP for inspections of high risk industrial facilities. Not Applicable No Facilities
		X		Part III.A.9.a	SOP for construction site plan review for stormwater, erosion and sedimentation controls, and ERP and CGP coverage.
			X	Part III.A.9.b	Plan for inspections of construction sites.*
		X		Part III.A.9.c	Plan for stormwater, erosion and sedimentation BMPs training.

* Revisions to these plans require DEP approval – please complete Section VIII.A of the annual report.

REMINDER LIST OF THE TMDL / BMAP REPORTS TO BE SUBMITTED <u>SEPARATELY</u> FROM AN ANNUAL REPORT		
Rule / Permit Citation	Report Title	Due Date
Part VIII.B.3.a	6 MONTHS from effective date of permit: TMDL Prioritization Report.	9/2/11
Part VIII.B.3.b	12 MONTHS from effective date of permit: TMDL Monitoring and Assessment Plan.	3/2/12
Part VIII.B.3.c	6 MONTHS from receiving analyses from the lab: TMDL Monitoring Report.	TBD
Part VIII.B.4	30 MONTHS from effective date of permit: A Bacterial Pollution Control Plan (BPCP).	9/2/13

Attachment 1

SWMP Effectiveness - *Town of Jupiter Inlet Colony* -

Year 2010 to 2011 Report - In accordance with Part VI.B.2.:

- The ANNUAL REPORT shall include as an attachment an evaluation of the effectiveness of the permittee's SWMP in reducing pollutant loads discharged from the MS4. At a minimum, the permittee shall attach to the ANNUAL REPORT an explanation of how its SWMP is addressing each of the following:
 1. Have stormwater pollutant loadings discharged from the MS4 decreased? Why or why not? Yes – The Town is developed primarily as a single family community with only one (1) lot available for future development. The implementation of stormwater BMP's, monitoring programs and dry weather screening reports reveal a decrease in pollutant loadings.
 2. Which components of the SWMP are working well and are effective in reducing stormwater pollutant loadings? Why are they effective? Public education of the general public has been improved to more fully educate residents in the Town. The use of brochures, flyers, newsletters and policing of the community on a daily basis has increased effectiveness.
 3. Which components of the SWMP are not working well and need to be revised to make them more effective in reducing stormwater pollutant loadings? None
 4. Which components of the SWMP do not contribute to reducing stormwater pollutant loads and could be revised or eliminated, and why? None
 5. Is the monitoring program providing data that can be used to assess the effectiveness of the SWMP in reducing stormwater pollutant loadings, assess the effectiveness of specific BMPs, and determine where stormwater retrofitting projects should be prioritized for implementation? Yes

The evaluation is expected to be subjective and is intended to lead the permittee to consider which programs deserve more or less attention.

Town of Jupiter Inlet Colony
Stormwater Management Plan (SWMP)

(Submitted as **Attachment 2** to the Town of Jupiter Inlet Colony Permit
Year 2, Third Term, Annual NPDES Report)

Prepared by the Town of Jupiter Inlet Colony
and
JLH Associates

December, 2012

Preface

This Stormwater Management Plan (SWMP) for the Town of Jupiter Inlet Colony developed as an Attachment to the Town's Second Year, Third Term, Annual NPDES Report for FY October 1, 2011 to September 30, 2012. The SWMP addresses all Standard Operating Procedures (SOPs) applicable to the Town's MS4 and that are required by the NPDES Permit. Specifically, the following Structural Controls SOPs are established in this Plan for:

- Grass Swales
- Major Outfalls
- Pipes and Culverts
- Inlets, Catch Basins and Grates

NOTE: The '*Stormwater/Drainage System Map*' is included after the Structural Control SOPs as it is referenced in those particular SOPs (This Map is used in lieu of an Outfall Map because it contains all MS4 structures covered in this SWMP)

Other SOPs and practices are also established to implement other areas of the MS4. They include:

- Site Plan Review Procedures
- Litter Control Program
- Roadway Maintenance Procedures
- Joint Public Education Program (developed for all co-permittees; see Joint Annual Report)
- Pesticides, Herbicides and Fertilizers Minimization Procedures
- Proactive Inspection Program
- Reactive Inspection Program
- Spill Prevention and Response Training Program- Plan to Eliminate Contamination in Stormwater
- Construction Site Inspection Plan
- Joint Planning Programs (developed by Steering Committee for all co-permittees)

A copy of Ordinance No. 166-93-31 was adopted by the Town in 1993 supporting the Legal Authority for the stormwater management program in Jupiter Inlet Colony .No amendments have been made to this Ordinance since original adoption.

A copy of the Interlocal Agreement between the Town of Jupiter Inlet Colony and Northern Palm Beach County Improvement District (NPBCID) is also included in this SWMP.

Standard Operating Procedures (SOPs)

**Swale System – Structural Control Inspection Standard
Operational/Maintenance/Documentation Protocol
- Town of Jupiter Inlet Colony -**

There are 5.6 miles of public roadway swales that are part of our MS4. The roadway swale segments are shown on the 'Stormwater/Drainage System Map' at the end of this section. All public roadways in the Town of Jupiter Inlet Colony have grass swales on both sides of the roads. There are no curb and gutter in the roadway system.

Inspections:

Swales are inspected daily by the Police Department when on road patrol. The entire established roadway swale system is completely inspected at least once every three(3) years, using the following 'Grass Swale - Structural Control Inspection' Forms. In addition, all swales are observed for problems that may impact their functionality whenever they are mowed/maintained.

If chronic problems are identified with a swale, the complete system is inspected annually until the problem is resolved (2 consecutive annual inspections without an issue).

Inspections are conducted close to the recovery time of that swale (generally 72 hours after a significant rainfall event) to verify that the system still functions as intended.

The anticipated inspection schedule follows: All grass swale inspection dates will be recorded on the 'Grass Swale - Structural Control Inspection' Forms.

Maintenance:

There are several maintenance activities that may be associated with swales. The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Mow grass.
2. Remove trash and debris from system and dispose of properly.
3. Remove accumulated sediment from the inflow and/or outflow pipe and dispose of properly.
4. Eliminate any mosquito breeding habitats.
5. Repair any undercutting or piping around inflow and/or outflow structure.
6. Repair and re-establish any eroded areas on the bottom, side slopes, and/or near any structure.

7. Scrape, disc, or otherwise aerate the bottom of the swale to restore the infiltration capacity. Include soil testing, if needed, to verify that the infiltration capacity has been restored. Re-establish the surface to its final condition (seed, sod, etc...)

Documentation:

The documentation for the inspection and maintenance activities related to swales is reported on the 'Grass Swale - Structural Inspection' Form which is retained in the Town Log for the appropriate permit year.

Grass Swale – Structural Control Inspection
- Town of Jupiter Inlet Colony -

Facility/Segment ID: _____ Date: _____

Inspection conducted _____ days/hours after significant rainfall event.

FUNCTION:

Wet bottom?	YES	NO
Aquatic vegetation present?	YES	NO
Dead or dying grass on bottom?	YES	NO
Sediment accumulation?	YES	NO
Grading issue?	YES	NO

If YES, report to supervisor for further investigation or schedule for maintenance.

EROSION:

Vegetation on bottom or side slopes failing?	YES	NO
Any signs of erosion?	YES	NO

If YES, describe and schedule for maintenance:

GENERAL:

Any signs of damage from parking in swale?	YES	NO
Any fences or other objects that could obstruct flow into/through the swale?	YES	NO

If YES, schedule for maintenance.

Any indications of illicit discharge or illegal dumping?	YES	NO
--	-----	----

If YES, describe and report to supervisor for proper response:

Major Stormwater Outfalls – Structural Control Inspection (Update)
Standard Operational/Maintenance/Documentation Protocol
- Town of Jupiter Inlet Colony -

There are three (3) major stormwater outfalls (MSWOs) that are part of our MS4. A MSWO is defined as:

- an outfall pipe larger than 36-inch inside diameter (or its equivalent), OR
- discharge from a single conveyance other than a pipe that serves a drainage area of 50 acres or more, OR
- an outfall pipe larger than 12-inches inside diameter (or its equivalent) that serves a drainage area containing industrial land uses, OR
- discharge from a single conveyance other than a pipe that serves a drainage area of 2 acres or more than include industrial land uses.

Even though the outfalls in JIC are smaller than the criteria cited above, they are inspected two (2) times a year.

The MSOW within our MS4 is shown on the, 'Stormwater/Drainage System Map' at the end of this section.

Inspections:

The MSWO is inspected two (2) times annually (soon after a storm event when possible), or more frequently if historic operations indicate that it's needed for a particular MSWO. Inspections are conducted in accordance with the following Structural Control Inspection Form.

The anticipated inspection schedule follows:

1) Outfalls #1, #2 and #3 - Inspection dates will be identified on the 'Major Stormwater Outfall #1, #2 and #3 - Structural Control Inspection' Forms, respectively.

Maintenance:

There are several maintenance activities that may be associated with MSWOs. The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Remove trash and debris and dispose of properly.
2. Remove accumulated vegetative matter and dispose of properly.
3. Remove accumulated sediment and dispose of properly.
4. Maintain earthen bank adjacent to the discharge pipe or headwall.
5. Maintain the headwall at the outfall, if applicable.

6. Repair/replace pipe if needed.

Documentation:

The documentation for the inspection and maintenance activities related to the major stormwater outfalls will be recorded on the 'Major Stormwater Outfall #1,#2 and #3 - Structural Control Inspection' Forms and retained in the Town Log for the appropriate permit year.

Pipes/Culverts – Structural Control Inspection Standard
Operational/Maintenance/Documentation Protocol
- Town of Jupiter Inlet Colony -

There are 2194 linear feet of pipes/culverts that are part of our MS4. The locations are shown on the 'Stormwater/Drainage System Map' at the end of this section. Each pipe segment (between two structures or between a structure and an outfall) has a unique identification. This information is stored in a hardcopy maps of the system, as well as in electronic format.

Inspections:

At least 10% of the total number of linear feet of pipes/culverts will be inspected each year. The inlets, catch basins, and grates associated with a pipe/culvert system are inspected separately. Visual inspections are conducted in accordance with the checklist/procedure that follows. If warranted, as a result of the visual inspection, a work order for maintenance, repair, or a more detailed pipe or structure investigation is generated. A more detailed investigation may include televising the pipe, or using mirrors or other devices, as appropriate, to determine the condition of the pipe/culvert. As a result of the more detailed investigation, a work order for maintenance or repair may be generated.

Maintenance:

There are several maintenance activities that may be associated with stormwater networks . The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Remove trash and debris and dispose of properly.
2. Remove accumulated vegetative matter and dispose of properly.
3. Remove accumulated sediment and dispose of properly.
4. Remove barnacles and/or other marine life and dispose of properly.
5. Repair/replace the headwall at the end of the pipe, if applicable.
6. Repair/replace pipe or structure, if needed.

Documentation:

The documentation for the inspection and maintenance activities related to the pipes/culverts will be reported on the 'Pipes/Culverts - Structural Control Inspection' Forms and retained in the Town Log for the appropriate permit year.

Inlets/Catch Basins/Grates – Structural Control Inspection Standard
Operational/Maintenance/Documentation Protocol
- Town of Jupiter Inlet Colony -

There are thirty two (32) inlets/catch basins/grates that are part of our MS4. The locations are shown the 'Stormwater/Drainage System Map' at the end of this section. These values and the locations do not include exfiltration trenches. Each inlet/catch basin/grate has a unique identification. This information is stored on hardcopy maps and in electronic format.

Inspections:

Inlets/ catch basins/grates are required to be inspected concurrently each permit year. however, the Town inspects all catch basins three (3) times a year at the same time outfalls are inspected. Visual inspections are conducted in accordance with the 'Inlets/Catch Basins/Grates - Structural Control Inspection' Forms. If warranted, as a result of the visual inspection, a work order for maintenance, repair, or a more detailed pipe or structure investigation is generated. A more detailed investigation may include televising the pipe, or using mirrors or other devices, as appropriate, to determine the condition of the pipe/culvert. As a result of the more detailed investigation, a work order for maintenance or repair may be generated.

Maintenance:

There are several maintenance activities that may be associated with stormwater networks . The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Remove trash and debris and dispose of properly.
2. Remove accumulated vegetative matter and dispose of properly.
3. Remove accumulated sediment and dispose of properly.
4. Remove barnacles and/or other marine life and dispose of properly.
5. Repair/replace the headwall at the end of the pipe, if applicable.
6. Repair/replace pipe or structure, if needed.

Documentation:

The documentation for the inspection and maintenance activities related to the inlets/culverts/grates will be reported on the 'Inlets/Catch Basins/Grates - Structural Control Inspection' Forms and retained in the Town Log for the appropriate permit year.

Inlets/Catch Basins/Grates – Structural Control Inspection
-Town of Jupiter Inlet Colony-

Facility ID: _____

Date: _____

Is it raining during the inspection? YES NO

If NO, date of last rainfall _____

FUNCTION:

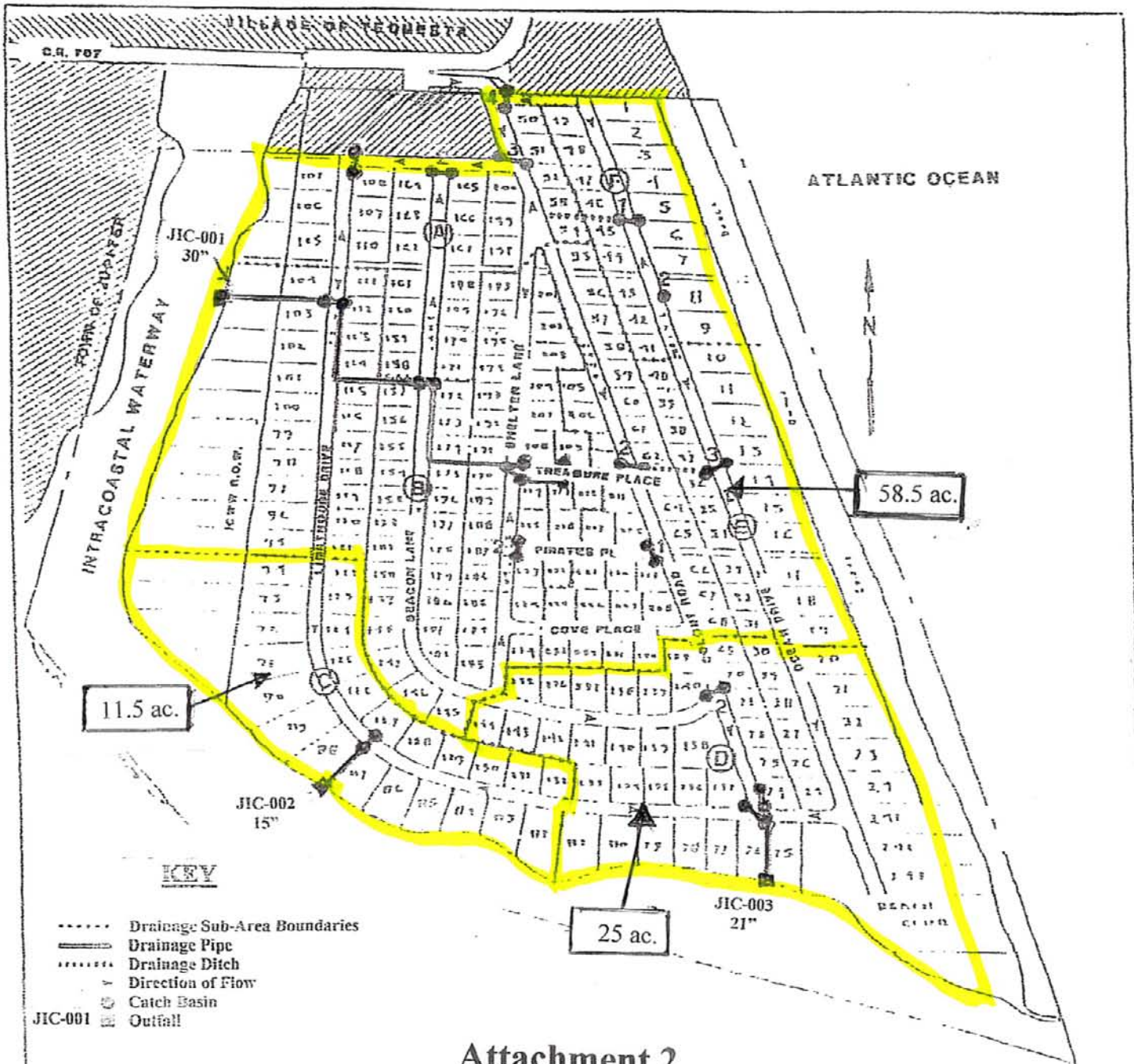
Debris or sediment accumulation in inlet/catch basin/grate?	YES	NO
Barnacle accumulation in inlet/catch basin/grate?	YES	NO
Sediment accumulation in inlet/catch basin/grate?	YES	NO
Evidence of settling of pipe – misalignment?	YES	NO
Inlet/catch basin/grate in need of repair/replacement?	YES	NO

If YES, report to supervisor for further investigation or schedule for maintenance.

ILLICIT DISCHARGE INDICATIONS:

Any indications of illicit discharge or illegal dumping? YES NO

If YES, complete Illicit Discharge Inspection Form and submit to supervisor for proper response.



Attachment 2

Jupiter Inlet Colony "Stormwater/Drainage Map"

Prepared by: JLH ASSOCIATES
1987

Site Plan Review Procedures **- Town of Jupiter Inlet Colony -**

The Town of Jupiter Inlet Colony is primarily developed as a single family residential community. Single family residences are not subject to Site Plan Review; however, the non-residential uses in JIC (Town Hall/Administrative building and the beach club) are subject to Site Plan Review as Conditional uses (Ref. Ch. 12 (B) - Conditional Uses, Zoning, Town of Jupiter Inlet Colony, Florida Code of Ordinances). To obtain a permit a Conditional use, the owner/applicant must make application in writing to the Town Commission, reviewed by the Commission, and, upon the Commission's acknowledgement that the Conditional use application is consistent with the Town's zoning, then, and only then, may a permit be granted.

Application packages for building/construction/grading permits will include brochures presenting the need for obtaining an Environmental Resource Permit (ERP) and/or coverage under the NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP).

The Town Administrative Officer shall accept the Site Plan proposal and coordinate the necessary and appropriate Consultants to conduct the reviews, Typically, either the Town Planning Consultant and/or Building Official are the professionals called upon to conduct the reviews. Any, or all, of these professionals are available depending on the needs of the project. The applicant is responsible for obtaining any, and all, other permits required under current local, State and federal rules and regulations. Copies of required permits or justifications shall be provided as part of the Site Plan Review submittal package to the Town, and the Town shall retain these permits and justifications, along with the Site Plan Review submittal in their official files. Applicants for a building/construction/grading permit are advised that coverage under the Construction Generic Permit may be required. Applicants are further advised that permission and authorization to perform clearing, grading or construction activities will not be granted until proof of a SFWMD or FDEP Permit and/or coverage under the CGP, if applicable, will be required. The following checklist is used to perform site plan reviews.

YES NO N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed work requires coverage under CGP. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed work appears to require an ERP. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed temporary stormwater sedimentation & erosion control BMPs appear to be appropriate for the project. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed permanent stormwater BMPs meet local requirements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Copy of confirmed coverage under CGP provided. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Copy of ERP or other applicable permit is required. |

Litter Control Program
- Town of Jupiter Inlet Colony -

The Litter Control Program for the Town of Jupiter Inlet Colony consists of:

- 5.6 miles of litter collection along public streets, roadways, and rights-of-way within our jurisdiction. Individual property owners have the responsibility for litter removal as part of the street swale maintenance program. There are no services contracted out for these purposes. Also, the Police Department patrols all roads on a daily basis. If there is a litter control problem, the Police report it in their 'Annual Summary Report' as part of these SOPs. A map depicting street /swale areas where litter is collected by property owners is contained in this SWMP and identified as the 'Stormwater/Drainage System Map'
- Documentation of volume of litter collected is kept in the 'Annual Summary Report' of the Town Log book by date.
- All collected litter is properly disposed of at the Town Hall dumpsters or other Town dumpsters and picked up by the contracted hauler for the Town.
- There is no "Adopt-a-Road" program in place at the present time because one is not necessary. Litter removal is primarily the responsibility of property owners, and the volume of litter collected by the Town annually is insignificant to warrant such a program.
- The Town Administrative Officer will issue notices of violation to property owners who do not comply with the code.

**Roadway Maintenance Practices
To Reduce Pollutants
- Town of Jupiter Inlet Colony -**

Roadway repairs and maintenance may take place anywhere throughout the Town's jurisdictional area, and is conducted on an as-needed basis.

Major repair work is typically done as a construction project by a contractor. These projects most often required a Notice of Intent under the State's Generic Construction Permit, which requires a Stormwater Pollution Protection Plan. Routine inspections are done as part of the construction site inspection program.

Minor repairs, completed by municipal staff, are performed using the following practices:

- Painting, striping, marking, and asphalt and concrete cutting or repair activities are done in dry weather.
- Nearby storm drain inlets are protected by appropriate inlet protection BMPs to minimize entry of wastes, dusts, overspray, slurry and other non-stormwater materials.
- All waste and debris remaining after the work is swept up and removed.
- Water use is minimized when saw cutting concrete. The waste slurry is allowed to dry and then swept up or a wet vacuum is used to pick up the waste slurry during or immediately after cutting.
- Maintenance supplies are stored under cover and away from stormwater inlets or swales.
- Waste, scraps, rust and paint from any sandblasting or painting projects is collected and disposed of properly.

If any of the above are observed to be in violation or non-compliance, a report shall be prepared by Code Enforcement, or duly authorized inspector, and filed in this section of the Town Log.

Joint Public Education Program
- *Town of Jupiter Inlet Colony* -

The three (3) public education elements in the permit are conducted as a joint program supported by all co-permittees. Please reference the program description in the Joint Annual Report and/or visit the website (www.pbco-npdes.org) The Town as an active member and co-permittee of the Palm Beach County NPDES group is a contributor and participant in the distribution of materials and information at Town Hall.

Pesticide, Herbicide & Fertilizer Minimization Procedures

- Town of Jupiter Inlet Colony -

In accordance with our MS4 permit, the Town of Jupiter Inlet Colony continues to endeavor to minimize its use of pesticides, herbicides, and fertilizers (PHFs) on public property. No PHFs are applied or stored by the Town. The procedures used to achieve this are as follows:

All Applications of these materials are performed by State certified Contractors. The Town shall confirm prior to hiring that said Contractors provide evidence of their licensing, certifications and training. Only Contractors that meet the requirements as noted below will be retained for these services.

Pesticides & Herbicides

Only personnel and contractors who have proof of certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) for the application of pesticides and herbicides, are allowed to apply these products.

Fertilizers

By January 1, 2014, all personnel and contractors who apply fertilizers must demonstrate proof of training through the Green Industry BMP Program. In addition, contracted applicators are required to prove certification for “urban landscape commercial fertilizer application.”

Until January 1, 2014, personnel will continue to receive annual training on the proper application practices for fertilizers.

Annually, or more often, training on the proper storage and handling of these products is provided to all relevant personnel. Typically, relevant personnel are required to attend the Palm Beach County joint training event where EXCAL employee training videos on stormwater pollution prevention are shown.

A list is maintained of all personnel and contractors who have received training, licensing, certification, and annual refresher training.

Proactive Inspection Program **- Town of Jupiter Inlet Colony -**

Suspected Illicit Discharges and/or Improper Disposal

This permit element requires a written proactive inspection program for identifying and eliminating sources of illicit discharges, illicit connection or illegal dumping, to your MS4.

- You must inspect portions of your MS4 that have a reasonable potential of containing illicit discharges/connections/dumping. The FDEP has indicated that this should be considered to be the commercial and industrial zoned areas/properties within your MS4 contributing area.

- FDEP allows these inspections to be combined with other inspection programs, but the inspections must include specific inspection for potential stormwater contamination.

Proactive Inspections Written Program Components

1. Procedure and Criteria for identifying priority areas/facilities
2. List of identified priority areas/facilities
3. Annual schedule for inspections
4. Procedure for conducting site inspections (include checking for MSGP)
5. Procedure for tracing source of discovered or suspected illicit discharge
6. Procedure for eliminating the discharge
7. Procedure for documenting the inspections and enforcement activities
(See form)
8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)
9. Identification of staff /department/outside entity responsible for inspections and for enforcement
10. Description of resources allocated to implement this permit element

Proactive Inspection Program (Written Procedures)

1. Procedure and Criteria for identifying priority areas/facilities

According to the MS4 NPDES permit, priority areas for inspection should include:

- Areas with older infrastructure
- Industrial, commercial, or mixed use areas
- Areas with history of past illicit discharges and/or illegal dumping
- Areas with on-site sewage disposal systems
- Areas upstream of sensitive or impaired water bodies

Jupiter Inlet Colony is developed as a single family residential community. There is only one (1) residential lot available for future residential development. There are no Commercial or Industrial uses in Jupiter Inlet Colony, nor are they allowed by local land use and zoning regulations.

2. List of identified priority areas/facilities

Priority areas/facilities shall be the Town's outfalls, grass swales and piping system connecting those facilities.

3. Annual schedule for inspections

The stormwater outfalls are inspected two (2) times per year and are recorded on 'Dry Weather Field Screening Forms'. The grass swales throughout the community are inspected regularly (daily) by the Police Department as part of their patrols. At the end of the year an Annual Summary is recorded which identifies any problems of illicit discharges or illegal dumping. The Town shall continue these practices until such time that more is needed. If illicit discharges are identified at any time, they shall be immediately recorded on the "Proactive Illicit Discharge/Illegal Connection Inspection" Form attached hereto and reported to the Town Administrative Officer for administrative action. As stated in 1. above, there are no Commercial (businesses) or Industrial uses within the Town; therefore, no MSGP's are required.

4. Procedure for conducting site inspections (include checking for MSGP)

Priority Facility inspections: For proactive facility inspections, the trained inspector conducts an unannounced visit to the facility/site. Standardized inspection forms will be used (Dry Weather Screening Form for outfalls; Grass Swale for swales; and, Piping/Culverts Forms for piping system)

Priority Area inspections: For general areas that have been designated to have a reasonable potential of containing illicit discharges/connections/dumping, a drive-around procedure will be followed. The trained inspector(s) patrols the prioritized area searching for indications of illicit discharges/connections/dumping. If any are identified, the inspector either stops to do a facility inspection, a reactive investigation to issues noted in

the field, or completes a work order form for the appropriate personnel to complete the investigation.

5. Procedure for tracing source of discovered illicit discharge

If illicit discharges have been identified at the outfall locations, the entire stormwater system system and structures will be traced back to the grass swales. Likewise, if illicit discharges or illegal dumping is observed in grass swales, the entire system to the outfall locations will be inspected to identify the source.

6. Procedure for eliminating the discharge

Property owner to be put on notice with time frame for compliance. Enforcement shall be in accordance with the Town's Code Enforcement procedures, including fines allowed by Law, until discharge is eliminated. In some cases if contamination cleanup is severe, the Town may seek funds from the designated offender. Should discharge be determined to be immediately detrimental to Public Health and Safety (i.e. large fuel spill) Palm Beach County (PBC) Fire Haz-mat may need to be notified. Town to coordinate all agencies involved in an incident and obtain and record under this section any and all reports generated by outside agencies.

7. Procedure for documenting the inspections and enforcement activities

Reference Dry Weather Screening, Grass Swale, Pipes/Culverts and Annual Summary Forms utilized by the Town.

8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)

Shall be in accordance with the Town's Code Enforcement procedures, as revised from time to time. In the case where outside agency may have jurisdiction that jurisdiction shall be notified in writing explaining the violation being observed.

9. Identification of staff /department/outside entity responsible for inspections and for enforcement

- 1) Town Police Department
- 2) Town Administrative Officer
- 3) Planning Consultant

Outside Agencies that have potential involvement:

- 1) PBC Health Department
- 2) PBC Fire Rescue-Hazmat Division

10. Description of resources allocated to implement this permit element

Town budget and special assessments, if needed, of violators. The Town's budget should cover all personnel and contractors initially involved.

Proactive Illicit Discharge/Illegal Connection Inspection Form
- Town of Jupiter Inlet Colony -

Date of Inspection: _____

Address of Facility OR General Description of Area Inspected: _____

Identification of MS4 component that could receive discharge from this site/area: _____

If Facility inspection, does type of business require an MSGP? YES ___ NO ___

 If yes, does this facility have one? YES ___ NO ___

Findings:

 Evidence of illicit connections to storm sewer? YES ___ NO ___

 Evidence of dumping/spills to storm sewer? YES ___ NO ___

 Evidence of wash water going to storm sewer? YES ___ NO ___

 Storage tanks leaking or improperly contained? YES ___ NO ___

 Stockpiles/debris piles uncontained? YES ___ NO ___

If "YES," to any above, describe:

Type of Enforcement Action Taken: _____

Date to verify elimination: _____

Date of Referral to FDEP of facility that may require MSGP: _____

Reactive Inspection Program **- Town of Jupiter Inlet Colony -**

Section III.A.7.c – Illicit Discharges and Improper Disposal – Inspection and Investigation of Suspected Illicit Discharges and/or Improper Disposal

This permit element requires a written **reactive investigation program** for suspected illicit discharges that are reported by others.

Reactive Investigation Written Program Components

The Town shall include on its website information pertaining to how, and to whom, to report an illicit discharge. Anytime a complaint is received by the Town, Town personnel shall take pertinent information regarding location, source, type of discharge and shall initiate a site inspection through the Town Administrative Officer.

Procedure for tracing source of discovered or suspected illicit discharge

If needed, laboratory testing will follow visual observation if the visual observation cannot specifically identify the source and illicit discharge.

Procedure for eliminating the discharge

The Town shall notify the individual or business through Code Enforcement procedures and will be given direction for elimination of the problem along with pertinent timing and information regarding fines.

Procedure for documenting the inspections and enforcement activities

See the 'Reactive Investigation of Reported Illicit Discharge/Illegal Connecting/Illegal Dumping' Form at the end of this section

Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)

Enforcement actions shall be taken in accordance with Town Code Enforcement procedures. If an outside agency or co-permittee be involved, a written notification shall be forwarded to the applicable agency and obtain for Town files any report and documentation that the outside agency develops.

Identification of staff /department/outside entity responsible for inspections and for enforcement

All complaints shall be brought to the Town Administrative Officer who, in turn, shall notify the Town Code Enforcement Officer for inspection and enforcement of procedures

Description of resources allocated to implement this permit element

Town budget - the cost of problem resolution shall be the Owner of the site producing the contamination. Cost recovery shall be subject to applicable laws and statutes and, if necessary, the Town shall pursue the cost recovery through the Courts.

**Reactive Investigation of Reported Illicit Discharge/Illegal Connection/Illegal
Dumping**
- Town of Jupiter Inlet Colony -

Town personnel receiving complaint: _____

Site Location/Address: _____

Date suspected illicit was reported: _____

Date of investigation: _____

MS4 potential Receiving system: _____

If not within MS4, date and to whom referral made: _____

Verification of problem: _____

Type of discharge/connection/dumping: _____

Determined Source: _____

Type of enforcement action taken: _____

Date to verify elimination: _____

Date of Referral to FDEP of facility that may require MSGP: _____

Notes/Comments on
Resolution _____

Spill Prevention & Response Training Plan ***-Town of Jupiter Inlet Colony-***

Following is the Town of JIC's plan for training the appropriate personnel and contractors in preventing, reporting and responding to spills within our jurisdictional area.

The Town receives spill response services from the Village of Tequesta (VOT) Fire Department (561 768-0551) through contractual arrangement.

Town personnel shall be trained in the required procedures to contact and identify appropriate personnel within VOT Fire Department in case of a spill; if traffic control for a roadway spill is necessary, Town's Police Department shall immediately take control of the situation and shall maintain copies of all incidents reports in Town files.

All new Town personnel and appropriate contractors shall be trained via EXCAL employee training videos. The primary videos for spill prevention & response are "Spills & Skills" and "Controlling Oil: Spill Prevention, Control & Countermeasure." DEP's online 'Illicit Discharge' training program is also available to personnel and contractors.

All personnel and appropriate contractors shall see these training videos, and others that may become available in the future, and be tested and graded on this training. These videos and programs should be viewed annually for future refresher training. Training videos is provided for all co-permittees by the Steering Committee, often providing time at Steering Committee meetings for all personnel in attendance to see. Attendance at training sessions shall be documented and kept as part of the public record.

Plan to Eliminate Wastewater Contamination in Stormwater
- *Town of Jupiter Inlet Colony* -

The Town of Jupiter Inlet Colony does not own, operate or maintain a central wastewater collection and transmission system. All properties are served by septic systems.

If a central wastewater system becomes available to Town residences, the Town Hall and Beach Club, the Town should coordinate with the utility providing these services to obtain a copy of the plan or program they use to eliminate wastewater spills and leaks within your jurisdiction.

Identified indications of wastewater contamination will be documented in the Town Log for the appropriate permit year. Follow-up with the Utility is conducted so that documentation of the response and resolution can also be made in the Town Log.

Construction Site Inspection Plan and Inspection Form

-Town of Jupiter Inlet Colony –

Construction site inspections are conducted for land-disturbing projects which have the potential to discharge stormwater runoff into our MS4.

Timing

Construction site inspections are conducted:

- Before the start of construction, after the placement of temporary BMPs
- During construction (one or more inspections, based on the project's potential for discharge to our MS4)
- At the end of the construction

Site Priority

All construction sites are considered priority, and are inspected, if they have the potential to discharge into water bodies or our MS4. Sites will be inspected with a frequency deemed appropriate during the site plan review process and with consideration to rainfall events. In addition, any sites where compliance is a concern, will be inspected more frequently.

Inspection Procedure

Inspections are the responsibility of the Building Official, or other authorized and trained personnel, and will be conducted using the attached 'Construction Site Inspection' Form. The intent of the inspection is to verify that BMPs are performing and to document the inspections. All completed inspection forms are kept in the Administrative offices at Town Hall located at 1 Colony Road, Jupiter Inlet Colony, FL 33469.

Enforcement

Instances of non-compliance will be handled with successively more rigorous enforcement measures.

1. Notice of Violation
2. Stop work order
3. Fines

The Town Building Official will issue notices of violation or stop work orders as deemed necessary and in accordance with **Section 4-12 of the Ch.4 - Buildings and Building Regulations, Code of Ordinances**. Fines can issued in accordance with Town laws. All qualified Town personnel and appropriate contractors will be required to take the 'Florida Stormwater, Erosion and Control Sedimentation' training program.

Construction Site Inspection Form
- Town of Jupiter Inlet Colony-

Site: _____ Date of Inspection: _____

Address: _____

Lat/Long of discharge point: _____ Receiving water body: _____

Project owner: Private City of _____

YES NO N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion & Sedimentation Controls are installed as shown on plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion is being controlled on site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sedimentation is being contained on site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No indication of sedimentation leaving the site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPP & completed inspection forms are on site & available. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prior non-compliance issues have been addressed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All other sources of pollution are being controlled. |

Comments:

Joint Training Program **- Town of Jupiter Inlet Colony -**

There are a number of permittee training requirements in the permit that are conducted jointly by the Steering Committee. These include the topics:

- Identifying and reporting conditions that may indicate illicit discharge/connection/dumping to the MS4 (for permitting personnel & contractors)
- Spill prevention, containment and response techniques (for permittee personnel & contractors)
- Stormwater management, erosion and sedimentation controls (for permittee personnel or contractors)
- EXCAL training videos are available through the Steering Committee on the first two (2) topics. The training is open to all permittee personnel. These videos are for new employees and contractors and available as refresher training. Attendance is documented using sign in sheets.

EXCAL training videos are available through the Steering Committee on the first two (2) topics. The training is open to all permittee personnel. These videos are for new employees and contractors and available as refresher training. Attendance is documented using sign in sheets.

The last topic is presented at an annual FDEP Erosion and Sedimentation Control Inspector Training, sponsored by the Palm Beach County MS4 permittee group, and presented by Cheryl Moore, a state certified trainer.

Details about the program are provided in the joint annual report and on the website (pbco-mpdes.org).

Supporting Legal Authority

ORDINANCE NO. 166-93-31

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AMENDING CHAPTER 18. UTILITIES, OF THE CODE OF ORDINANCES, TOWN OF JUPITER INLET COLONY, FLORIDA, TO ADD A NEW ARTICLE III. STORMWATER CONTROL; BY CREATING A NEW SECTION 18-40. TITLE; BY CREATING A NEW SECTION 18-41. PURPOSE AND INTENT; BY CREATING A NEW SECTION 18-42. DEFINITIONS; BY CREATING A NEW SECTION 18-43. ILLICIT DISCHARGES; BY CREATING A NEW SECTION 18-44. SPILLS AND DUMPING; BY CREATING A NEW SECTION 18-45. ENFORCEMENT; BY CREATING A NEW SECTION 18-46. INSPECTIONS AND MONITORING; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the federal Clean Water Act (33 U.S.C. 1252, et seq.) as implemented by regulations of the U.S. Environmental Protection agency adopted November 16, 1990 (40 CFR Part 122), make necessary the adoption of local ordinance provisions relating to the Stormwater System; and

WHEREAS, the Town of Jupiter Inlet Colony is seeking to comply with all provisions of federal and state law; and

WHEREAS, the Town Commission has conducted legally noticed public hearings and has provided all interested parties an opportunity to be heard on these ordinance provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, THAT:

Section 1: Chapter 18. UTILITIES., of the Code of Ordinances, Town of Jupiter Inlet Colony, Florida, is hereby amended by creating a new Article III. Stormwater Control, as follows:

ARTICLE III. STORMWATER CONTROL

Sec. 18-40. TITLE.

This ordinance shall be known as the Town of Jupiter Inlet Colony Stormwater Control Ordinance, and may be so cited.

Sec. 18-41. Purpose and Intent:

The purpose of this ordinance is to promote the health, safety and general welfare of the inhabitants of the Town of Jupiter Inlet Colony. This ordinance is intended to comply with federal and state law and regulations regarding water quality.

Sec. 18-42. Definitions:

(a) Authorized Official: any employee or agent of the Town authorized by the Town Commission to administer or enforce the provisions of this ordinance.

(b) Discharge: any direct or indirect entry of any solid, liquid or gaseous matter.

(c) Person: any natural individual, corporation, partnership, institution or other entity.

(d) Stormwater: any stormwater run-off, and surface run-off and drainage.

(e) Stormwater System: the system of conveyances used for collecting, storing, and transporting Stormwater owned by the Town but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

Sec. 18-43. Illicit Discharges.

A. General Prohibitions.

Except as set forth under Section 18-45 of this ordinance or as in accordance with a valid NPDES permit, any Discharge to the Stormwater System that is not composed entirely of Stormwater is prohibited.

B. Specific Prohibitions.

Any Discharge to the Stormwater System containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits is prohibited.

C. Authorized Exceptions.

Unless the Mayor, or his designee, determines that it is not properly managed or otherwise is not acceptable, the following Discharges are exempt from the general prohibition set forth under Section 18-43(A) of this ordinance:

1. flows from fire fighting;
2. water line flushing and other contributions from potable water sources;
3. landscape irrigation and lawn watering;

4. irrigation water;
5. diverted stream flows;
6. rising groundwaters;
7. direct infiltration to the Stormwater System;
8. uncontaminated pumped groundwater;
9. foundation and footing drains;
10. water from crawl space pumps;
11. air conditioning condensation;
12. springs;
13. individual residential car washings;
14. flows from riparian habitats and wetlands; and
15. dechlorinated swimming pool contributions.

D. Illicit Connections.

No Person may maintain, use or establish any direct or indirect connection to the Stormwater system that results in any Discharge in violation of this Ordinance. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

E. Administrative Order.

The Mayor, or his designee, may issue an order to any Person to immediately cease any Discharge, or any connection to the Stormwater System, determined by the Mayor, or his designee, to be in violation of any provision of this Ordinance, or in violation of any regulation or permit issued hereunder.

Sec. 18-44. Spills and Dumping.

A. General Prohibitions.

Except as set forth under Section 18-43(C) of this Ordinance or as in accordance with a valid NPDES permit, any Discharge to the Stormwater System that is not composed entirely of Stormwater is prohibited.

B. Specific Prohibitions.

Any Discharge to the Stormwater System containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

C. Notification of Spills.

As soon as any Person has knowledge of any Discharge to the Stormwater System in violation of this Ordinance, such Person shall immediately notify the Mayor or Town Clerk by telephone and if such Person is directly or indirectly responsible for such Discharge, then such Person shall also take immediate action to ensure the containment and clean up of

such Discharge and shall confirm such telephone notification in writing to the Mayor within three calendar days.

D. Administrative Order.

The Mayor, or his designee, may issue an order to any Person to immediately cease any Discharge, or connection to the Stormwater System, determined by the Mayor, or his designee, to be in violation of any provision of this Article, or in violation of any regulation or permit issued hereunder.

Sec. 18-45. Enforcement.

A. Injunctive Relief.

Any violation of any provision of this Ordinance, or of any regulation or order issued hereunder, shall be subject to injunctive relief if necessary to protect the public health, safety or general welfare.

B. Continuing Violation.

A Person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this Ordinance, or of any regulation or permit issued hereunder.

C. Enforcement Actions.

The Mayor, or his designee, may take all actions necessary, including the issuance of notices of violation, the filing of court actions and/or referral of the matter to the Town code enforcement Board to require and enforce compliance with the provisions of this ordinance and with any regulation or permit issued hereunder.

Sec. 18-46. Inspections and Monitoring.

A. Authority for Inspections.

Whenever necessary to make an inspection to enforce any of the provisions of this Ordinance, or regulation or permit issued hereunder, or whenever an Authorized Official has reasonable cause to believe there exists any condition constituting a violation of any of the provisions of this Ordinance, or regulation or permit issued hereunder, any Authorized Official may enter any property, building or facility at any reasonable time to inspect the same or to perform any duty related to enforcement of the provisions of this ordinance or any regulations or permits issued hereunder; provided that:

(1) if such property, building or facility is occupied, such Authorized Official shall first present proper credentials and request permission to enter, and

(2) if such property, building or

facility is unoccupied, such Authorized Official shall make a reasonable effort to locate the owner or other person having charge or control of the property, building or facility, and shall request permission to enter. Any request for permission to enter made hereunder shall state that the owner or person in control has the right to refuse entry, and that in such event that entry is refused, the Authorized Official may enter to make inspection only upon issuance of a search warrant by a duly authorized Magistrate or Judge. If the owner or person in control refuses permission to enter after such request has been made, the Authorized Official is hereby authorized to seek assistance from any court of competent jurisdiction in obtaining entry. Routine or area-wide inspection shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this Article, including but not limited to random sampling and sampling in areas with evidence of stormwater contamination, non-stormwater discharges, or similar factors.

B. Authority for Monitoring and Sampling.

Any authorized Official may establish on any property such devices as are necessary to conduct sampling or metering of Discharges to the Stormwater System. During any inspections made to enforce the provisions of this Article, or regulations or permits issued hereunder, any Authorized Official may take any samples deemed necessary.

C. Requirements for Monitoring.

The Mayor, or his designee, may require any Person engaging in any activity or owning any property, building or facility to undertake such reasonable monitoring of any Discharge(s) to the Stormwater System and to furnish periodic reports.

SECTION 2: Each and every other provision of Chapter 18. UTILITIES., of the Code of Ordinances of the Town of Jupiter Inlet Colony shall remain in full force and effect as previously enacted.

SECTION 3: Specific authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony.

SECTION 4: All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5: Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence or

word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance,

SECTION 6: This ordinance shall take effect immediately upon passage.

FIRST READING this 5th day of April, 1993.

SECOND READING and FINAL PASSAGE this 3rd day of May, 1993.

TOWN OF JUPITER INLET COLONY, FLORIDA

NICHOLAS F. PORTO
MAYOR

RUTH MC KENTY
TOWN COMMISSIONER

RICHARD PARMALEE
TOWN COMMISSIONER

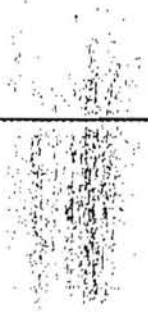
THOMAS BODTH
TOWN COMMISSIONER

C. B. MILLER - absent
TOWN COMMISSIONER

ATTEST:

JANET E. POTVIN
TOWN CLERK

*Approved
4-0*



Interlocal Agreement

RECEIVED
OCT 11 2011

**NPDES THIRD TERM PERMIT
INTERLOCAL AGREEMENT**

This Interlocal Agreement (the "Agreement") is being entered into by and between NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, 359 Hiatt Drive, Palm Beach Gardens, Florida 33418 (hereinafter referred to as the "Lead Permittee"), and TOWN OF JUPITER INLET COLONY (hereinafter referred to as "the Co-Permittee").

WITNESSETH:

WHEREAS, the United States Environmental Protection Agency (hereinafter referred to as "EPA") on the 9th day of December, 1996, issued its National Pollutant Discharge Elimination System ("NPDES") Permit No. FLS000018 (with it and all such subsequent permits being hereinafter referred to as the "MS4 NPDES Permit") to approximately forty (40) governmental entities designated as the Palm Beach County-Municipal Separate Storm Sewer System ("MS4") Permittees (hereinafter referred to jointly as the "Permittees"); and

WHEREAS, EPA has since delegated its regulatory and enforcement authority relating to the MS4 NPDES Permit to the Florida Department of Environmental Protection ("FDEP"); and

WHEREAS, Section 403.0885, Florida Statutes, established the federally approved state NPDES Program; and

WHEREAS, FDEP Rule 62-4.052, F.A.C., implemented an annual regulatory program and also set fees to effect the legislative intent that FDEP's costs for administering the NPDES Permit be borne by the regulated entities; and

WHEREAS, at or before the expiration of each MS4 NPDES Permit, the Permittees must file a re-application to FDEP for renewal of the MS4 NPDES Permit for a subsequent term; and

WHEREAS, the MS4 NPDES Permits granted by FDEP to the Permittees contain separate obligations and responsibilities for each individual Permittee, as well as obligations and responsibilities that may be performed jointly by the Permittees; and

WHEREAS, due to the number of Permittees and the tasks that must be performed pursuant to each MS4 NPDES Permit, it would be more economically and administratively feasible to allocate duties, responsibilities, and costs associated with the MS4 NPDES Permits pursuant to individual interlocal agreements between each Co-Permittee and the Lead Permittee; and

WHEREAS, the Permittees previously established a 7-member Steering Committee comprised of 2 representatives of large municipalities, 2 representatives of smaller municipalities, 1 representative of special districts, 1 representative from Palm Beach County, and the Lead Permittee, which Committee will continue to coordinate the joint activities required under the MS4 NPDES

Permit, including but not limited to recommending to the Lead Permittee retention of necessary consultants to execute each MS4 NPDES Permit; and

WHEREAS, the parties hereto are authorized pursuant to Chapter 163, Part I, Florida Statutes, as amended, to enter into this Agreement and do hereby adopt, ratify and confirm the provisions and incorporation herein of Subparagraph (9), Section 163.01, Florida Statutes.

NOW, THEREFORE, in accordance with Chapter 163, Part I, Florida Statutes, as amended, the undersigned parties, for and in consideration of the mutual benefits set forth herein, do hereby enter into this Agreement and represent, covenant, and agree with each other as follows:

SECTION ONE REPRESENTATIONS

1.01. Recitals. The recitals and representations as set forth hereinabove are true and correct to the best of the knowledge of the parties and are incorporated herein by this reference.

SECTION TWO DESIGNATION OF PARTIES

2.01. Lead Permittee. Northern Palm Beach County Improvement District is hereby designated as the Lead Permittee for the purposes of this Agreement and each MS4 NPDES Permit.

2.02. Co-Permittee. The Town of Jupiter Inlet Colony is hereby designated as a Co-Permittee for the purposes of this Agreement and each MS4 NPDES Permit.

SECTION THREE TERM OF AGREEMENT

3.01. Agreement Term. The term of this Agreement begins as of the date it is signed by the last of the parties, and shall continue from year to year, subject to the annual Funding Year (as hereinafter defined) renewal process set forth in following Section 3.03, unless otherwise terminated in accordance with other provisions of this Agreement. The parties to this Agreement shall undertake a mutual review of this Agreement during the final year of the term of each Permit.

3.02. Funding Year. The term "Funding Year" is defined as a fiscal year beginning on October 1 and ending on September 30.

3.03. Renewal. This Agreement shall be automatically renewed as of the beginning date of each Funding Year and continue in full force and effect from Funding Year to Funding Year, unless: (i) a party to this Agreement provides written notice of non-renewal to the other party at least thirty (30) days prior to the end of the then-current Funding Year, or (ii) the Agreement has been previously terminated as provided herein.

SECTION FOUR
SCOPE OF WORK AND ALLOCATION OF DUTIES AND OBLIGATIONS

4.01. Allocation of Duties and Obligations

(i) The Lead Permittee shall be responsible for those duties and obligations which are specifically identified and delineated in Exhibit "A" which is attached hereto and incorporated herein (the "Lead Permittee Services"). The Lead Permittee Services may be revised from time to time as required by the MS4 NPDES Permit. Any such revisions shall be agreed to in writing by the Co-Permittee and incorporated into Exhibit "A" and made a part of this Agreement. All revisions to Exhibit "A" shall be attached sequentially to the original Agreement so that all modifications to the Lead Permittee Services that occur over time may be determined.

(ii) The Co-Permittee shall be responsible for such other duties and obligations which are specifically identified as being its individual responsibility in the MS4 NPDES Permit.

4.02. Modifications to MS4 NPDES Permit

In accordance with Section 403.067, Florida Statutes, NPDES permits must be consistent with the requirements of adopted TMDLs. A MS4 NPDES Permit may be reopened and revised during its term to adjust effluent limitations or monitoring requirements should future adopted TMDL, water quality studies, FDEP-approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement. It is understood and agreed that any other changes, modifications, revisions, or additions to the terms of the MS4 NPDES Permit made subsequent to the Effective Date of this Agreement are expressly excluded from and not a subject of this Agreement unless and until incorporated herein by written agreement of the parties.

SECTION FIVE
BUDGET AND FUNDING

5.01. **Administrative Procedures.** The procedures to be followed by the Lead Permittee regarding the collection, management and disbursement of the Co-Permittee payments are set forth in a resolution titled "Resolution of the Board of Supervisors of Northern Palm Beach County Improvement District Approving the NPDES Steering Committee Administrative Procedures for Collection, Management and Disbursement of NPDES Interlocal Agreement Funds" (the "Resolution), which was adopted by the Lead Permittee, a copy of which is attached hereto as Exhibit "B."

Section 2 of the Resolution incorporates by reference the "NDPES Steering Committee Administrative Procedures for Collection, Management and Disbursement of NPDES Interlocal Agreement Funds" (the "Procedures) which are incorporated into this Agreement and are to be followed by the parties to this Agreement.

The Resolution and the Procedures may be amended from time to time upon the approval of the NPDES Steering Committee and the Lead Permittee. However, the Co-Permittee shall be given a minimum of 60 days advance written notice of any proposed amendments to the Resolution or the Procedures, and shall be afforded the opportunity to offer comments to the Lead Permittee and/or the NPDES Steering Committee prior to any action being taken on said proposed amendments. Any amendment that is incorporated into this Agreement shall also be agreed to in writing by the Co-Permittee.

5.02. Annual Budget. Since this Agreement is anticipated to be renewed for a number of Funding Years, the parties acknowledge that it is not in their respective best interests to project the potential costs the Lead Permittee may be required to incur for future Funding Years in order to carry out the Lead Permittee Services. Therefore, the parties agree to arrive at a mutually acceptable payment amount on a per Funding Year basis in order to more accurately calculate the amount that will be required to be paid by the Co-Permittee to the Lead Permittee for the provision of Lead Permittee Services during each Funding Year.

5.03. Prior Funding. The parties agree that any surplus funds previously paid by the Co-Permittee to the Lead Permittee pursuant to any prior interlocal agreement it has entered into with the Lead Permittee involving a MS4 NPDES Permit shall be applied to and used for the provision of Lead Permittee Services during the next Funding Year period.

5.04. First Funding Year Payment. In addition to the surplus funds referenced in Section 5.03 above, the parties agree that for the upcoming 2011/2012 Funding Year, the Co-Permittee has paid the Lead Permittee the sum of ONE HUNDRED FORTY-FIVE AND NO/100 (\$145.00) DOLLARS, which sum represents payment of both the Lead Permittee's Services for the upcoming Funding Year of this Agreement and the ten percent (10%) Reserve Fund Contingency required pursuant to Section 5.05.

5.05. Reserve Contingency. The parties acknowledge that each Funding Year payment will include a ten percent (10%) reserve fund contingency (the "Reserve Fund Contingency") for unexpected additional costs and expenses incurred in the preparation and implementation of a MS4 NPDES Permit.

5.06. Current Funding. The parties believe that the funding specified in above Section 5.04 will be sufficient to satisfy the current MS4 NPDES Permit requirements for the 2011/2012 Fiscal Year unless unexpected additional costs and expenses of the nature described in following Section 6.03 are incurred.

5.07. Future Funding Year Payments. The parties: (i) acknowledge that on or before January 31, 2011, the Lead Permittee provided a budget to the Steering Committee of the amount the Permittees will each be requested to pay during the next Funding Year, and (ii) agree that all subsequent Funding Year budget estimates will be provided on or about January 31st of each following year. The Lead Permittee and Co-Permittee shall have until July 31st of each year to arrive at a mutually acceptable dollar amount to be paid by the Co-Permittee to the Lead Permittee for the immediately upcoming Funding Year, which shall be paid pursuant to Section Six of this

Agreement. If the parties cannot agree upon a mutually acceptable dollar amount by the aforementioned deadline, this Agreement shall be deemed terminated unless otherwise agreed to in writing by and between the parties.

5.08. Final Funding Year of a MS4 NPDES Permit Term. It is assumed that during the last Funding Year of the term of each MS4 NPDES Permit, the Permittees and FDEP will commence to negotiate the provisions of the next MS4 NPDES Permit. As a result, allocation of the Scope of Services that are required to be provided hereunder may be modified. Due to this uncertainty, each party's duties and obligations hereunder, together with the funding process for provision of Lead Permittee Services, will be reexamined during the last Funding Year of the term of each MS4 NPDES Permit.

5.09. Separate Co-Permittee Expenses. In addition to the payments required to be paid by the Co-Permittee to the Lead Permittee pursuant to Sections 5.03 through 5.07, the Co-Permittee shall be responsible for all other costs and expenses relating to its individual duties and obligations under a MS4 NPDES Permit, including, but not limited to: (1) all costs of the Co-Permittee's preparation and submittal of such of its own individual annual report(s) that may be separately required by a MS4 NPDES Permit, (2) costs of all monitoring that may be the Co-Permittee's individual responsibility, (3) costs of gathering, compiling, coordinating, and submitting all necessary data that may be individually required of the Co-Permittee by a MS4 NPDES Permit, and (4) all other costs of carrying out any other individual responsibility of the Co-Permittee according to the requirements of a MS4 NPDES Permit.

SECTION SIX PAYMENT PROCEDURE

The Co-Permittee agrees to pay each of its Funding Year payments as follows:

6.01. First Funding Year. The First Funding Year payment for the current MS4 NPDES Permit Term will be paid in either a single lump sum payment on or before November 15, 2011 or in twelve (12) equal monthly installments commencing on October 15, 2011, and thereafter on the 15th day of each subsequent month during the First Funding Year (such payment dates being hereinafter referred to as "Payment Due Date(s)"). In addition, an alternative payment schedule allowing for quarterly payments, pursuant to the Procedures found herein may be utilized by the Co-Permittee, unless and until such time as the Procedures are amended to eliminate said alternate payment schedule. The initial Funding Year for all future MS4 NPDES Permits shall be referred as the First Funding Year.

6.02. Subsequent Funding Year Payments. Once a Funding Year payment amount has been agreed upon, the Co-Permittee may, at its option, pay the entire agreed-upon amount in a single lump sum on or before November 15 of that particular Funding Year, or in twelve (12) equal monthly installments commencing on October 15th of that Funding Year and thereafter on the 15th day of each subsequent month during that Funding Year (such payment dates also being hereinafter referred to as "Payment Due Date(s)"). In addition, an alternative payment schedule allowing for quarterly payments, pursuant to the Procedures found herein may be utilized by the Co-Permittee, unless and

until such time as the Procedures are amended to eliminate said alternate payment schedule.

6.03. Additional Costs. Since it is possible that following the parties' agreement as to a particular Funding Year's payment amount, unexpected additional costs and expenses may arise which will need to be paid in order for the Lead Permittee to carry out its Lead Permittee Services for that Funding Year, the parties agree as follows:

(i) If the Lead Permittee determines that unexpected additional costs and expenses must be incurred in order for it to timely provide its Lead Permittee Services, the Lead Permittee shall promptly notify the Co-Permittee, in writing, of the nature and estimated amount of the Co-Permittee's allocable share of these unexpected additional costs and expenses, as well as the Lead Permittee's intent to draw down funds from the Co-Permittee's Reserve Fund Contingency in order to pay said Co-Permittee's allocable share of the unfunded and unexpected additional costs and expenses.

(ii) If the Co-Permittee's allocable share of the unexpected additional costs and expenses exceeds the amount held in the Co-Permittee's Reserve Fund Contingency account, the Lead Permittee shall address the need for such excess amount in the above subparagraph (i) notice to the Co-Permittee. The Lead Permittee and Co-Permittee shall then attempt to negotiate a payment procedure for the unfunded and unexpected additional costs and expenses.

(iii) If the Lead Permittee and Co-Permittee agree as to the need and amount of the unfunded and unexpected additional costs and expenses, their agreement shall be reduced to writing. The agreed upon unfunded and unexpected additional costs and expenses shall be paid either by a lump sum payment within thirty (30) days of their agreement in writing or divided by the remaining months of that particular Funding Year and paid to the Lead Permittee in equal monthly installments for the remainder of the subject Funding Year.

(iv) If the Lead Permittee and Co-Permittee are not able to timely agree as to the need and/or amount of the unfunded and unexpected additional costs and expenses, the Lead Permittee may suspend or terminate this Agreement, at its sole discretion, following the provision of thirty (30) days prior written notice to the Co-Permittee.

6.04. Failure to Pay. Unless otherwise agreed to in writing by and between the parties hereto, if a Funding Year payment or agreed upon unfunded and unexpected additional costs and expenses payment is not timely paid within thirty (30) days of a Payment Due Date, the duties and obligations assumed by the Lead Permittee under the terms of this Agreement may be suspended and/or terminated by the Lead Permittee, at its sole discretion, following the provision of thirty (30) days prior written notice to the Co-Permittee unless cured by the Co-Permittee by payment in full of the omitted payment within said thirty (30) day notice time period.

SECTION SEVEN OPTION TO TERMINATE

7.01. Termination. Either party to this Agreement shall have the right to terminate this

Agreement at will and without cause, provided that the party wishing to terminate the Agreement must provide thirty (30) days prior written notice to the other party of said terminating party's decision to terminate this Agreement. Said termination shall not be effective until said thirty (30) day prior notice period has elapsed (the "Termination Date"). In addition to the aforementioned termination rights, the Agreement may be terminated as provided in Sections 5.07, 6.03(iv), and 6.04.

7.02. Effect of Termination. In the event of termination of this Agreement by the Co-Permittee, the Co-Permittee shall thereupon be individually and solely responsible for all requirements of the applicable MS4 NPDES Permit which are designated therein as the individual responsibility of said Co-Permittee. Thereafter, the Lead Permittee and other Permittees shall not be responsible for said terminating Co-Permittee's individual obligations under the applicable MS4 NPDES Permit.

7.03. Costs and Expenses. Irrespective of which party elects to terminate this Agreement or in the event of a failure to pay by the Co-Permittee to the Lead Permittee the amounts due under and pursuant to the terms of this Agreement, the parties agree that any costs and expenses previously incurred or obligated to be paid by the Lead Permittee as of the Termination Date shall still be due and owing and the right to collect said amount(s) shall survive termination of this Agreement.

7.04. Refunds. The parties acknowledge that the Lead Permittee anticipates entering into contracts with one or more consultants or contractors for the provision of services required in order for the Lead Permittee to provide some or all of its Lead Permittee Services. Since the Co-Permittee's payments under this Agreement represent only a portion of what the Lead Permittee will have to pay its consultants and contractors for their services, the Co-Permittee will not be entitled to receive a refund from the Lead Permittee for any monies that the Co-Permittee has previously paid pursuant to this Agreement unless the Lead Permittee is able to obtain a reduction in its contractual obligations with its consultants or contractors as a result of the termination of this Agreement. In that event, the Lead Permittee shall be obligated to reimburse the Co-Permittee for its allocable share of the amount of such reduction in costs and expenses.

7.05. Documentation and Data. In the event this Agreement is cancelled or terminated, all documentation and data previously collected by the Lead Permittee in accordance with its duties and obligations as assumed herein, shall be made available to the Co-Permittee.

SECTION EIGHT ENFORCEMENT, VIOLATIONS, AND/OR DEFAULT

8.01. Enforcement. The designation herein of the Lead Permittee is not intended nor shall it be construed as authorizing, granting or permitting the Lead Permittee to accept or assume any powers of enforcement of the applicable MS4 NPDES Permit as to the other party.

8.02. Violations. Neither party to this Agreement shall be deemed to have assumed any liability for any negligent or wrongful acts or omissions of the other party, and in no event shall any of the provisions of this Agreement be construed as a waiver by either party of its sovereign

immunity rights or of the liability limits established in Section 768.28, Florida Statutes.

8.03. Dispute Resolution Process. Any dispute or conflict between the parties that arises from any of the terms or conditions of this Agreement, including any exhibits thereto, shall be presented in writing by the complaining party to the other party. The parties' representatives shall then meet to discuss the disputed issues and attempt in good faith to resolve the dispute or conflict prior to either party initiating the intergovernmental conflict resolution process per Ch. 164, F.S., or litigation or any other formal dispute resolution process.

SECTION NINE MISCELLANEOUS PROVISIONS

9.01. Notices. All notices, requests, consents and other communications required or permitted under this Agreement shall be in writing and shall be (as elected by the person giving such notice) hand delivered by prepaid express overnight courier or messenger service, telecommunicated (including telex, facsimile, telegraphic, or electronic mail (e-mail) communication) with confirmation of receipt, or mailed by registered or certified mail (postage prepaid), return receipt requested, to the following addresses:

As to Lead Permittee: Northern Palm Beach County Improvement District
359 Hiatt Drive
Palm Beach Gardens, Florida 33418
Attn: Executive Director
Phone: (561) 624-7830
Fax: (561) 624-7839

With a copy to: Betsy S. Burden, Esq.
Caldwell Pacetti Edwards Schoech & Viator LLP
One Clearlake Centre
250 South Australian Avenue, Suite 600
West Palm Beach, Florida 33401
Phone: (561) 655-0620
Fax: (561) 655-3775

As to Co-Permittee: Town of Jupiter Inlet Colony
1 Colony Road
Jupiter Inlet Colony, FL 33469
Attn: Mayor Daniel J. Comerford, III
Phone: (561) 746-3787
Fax: (561) 746-1068

9.02. Entire Agreement. This Agreement represents the entire understanding and agreement between the parties with respect to the subject matter hereof.

9.03. Construction. The preparation of this Agreement is considered a joint effort of the

parties and accordingly this Agreement shall not be construed more severely against one of the parties than the other.

9.04. Discrimination. The Lead Permittee and the Co-Permittee agree that no person shall on the grounds of race, color, sex, national origin, disability, religion, ancestry, marital status or sexual orientation be excluded from the benefits of or be subjected to any form of discrimination under any activity carried out by the performance of this Agreement.

9.05. Binding Effect. All of the terms and provisions of this Agreement, whether so expressed or not, shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective legal representatives, successors, and permitted assigns.

9.06. Assignability. The responsibility for carrying out any task assumed by a party to this Agreement, but not the obligation to pay, may be assigned by the party upon receipt of written approval from the other party, which approval shall not be unreasonably withheld.

9.07. Severability. If any part of this Agreement is contrary to, prohibited by or deemed invalid under applicable law or regulation, such provision shall be inapplicable and deemed omitted to the extent so contrary, prohibited or invalid, but the remainder hereof shall not be invalidated thereby and shall be given full force and effect so far as possible, unless the prohibited or invalid provision reduces the payment obligations of the Co-Permittee, in which event this Agreement may be thereupon terminated by the Lead Permittee.

9.08. Governing Law and Venue. This Agreement and all transactions contemplated by this Agreement shall be governed by, and construed and enforced in accordance with, the internal laws of the State of Florida without regard to any contrary conflicts of laws principle. Venue of all proceedings in connection herewith shall be exclusively in the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, and each party hereby waives whatever their respective rights may have been in the selection of venue.

9.09. Headings. The headings contained in this Agreement are for convenience of reference only, and shall not limit or otherwise affect in any way the meaning or interpretation of this Agreement.

9.10. Remedies. The failure of any party to insist on a strict performance of any of the terms and conditions hereof shall be deemed a waiver of the rights or remedies that the party may have regarding that specific instance only, and shall not be deemed a waiver of any subsequent breach or default in any terms and conditions.

9.11. NPDES Permit. If there is any inconsistency between the terms of this Agreement and the applicable MS4 NPDES Permit, then the applicable MS4 NPDES Permit shall preempt, supersede, and control the provisions of this Agreement.

9.12. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same

instrument.

9.13. Clerk of Court. A copy of this Agreement shall be filed with the Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida.

9.14. Termination of Prior Agreements. All previous interlocal agreements entered into between the parties to this Agreement regarding the application or execution of a MS4 NPDES Permit shall terminate as of the Effective Date of this Agreement.

9.15. Effective Date. This Agreement shall be effective as of the date it is filed with the Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida.

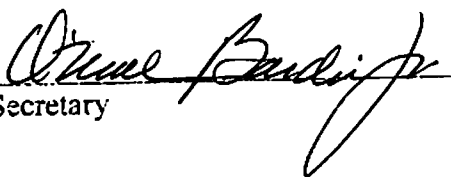
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IN WITNESS WHEREOF, the parties have set their hand and seals the day and year hereafter written.

EXECUTED by Lead Permittee this 8th day of JUNE, 2011.

ATTEST:

NORTHERN PALM BEACH COUNTY
IMPROVEMENT DISTRICT

By: 
Secretary

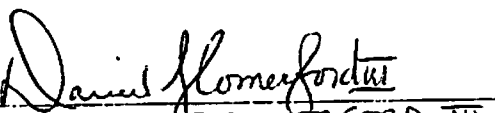
By: 
Print: Matthew J. Boykin
Title: NPBCID Board Supervisor

[DISTRICT SEAL]

EXECUTED by Co-Permittee this 11th day of April, 2011.

ATTEST:

By: 
TOWN CLERK

By: 
Print: DANIEL G. COMERFORD, III
Title: MAYOR

[SEAL]

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

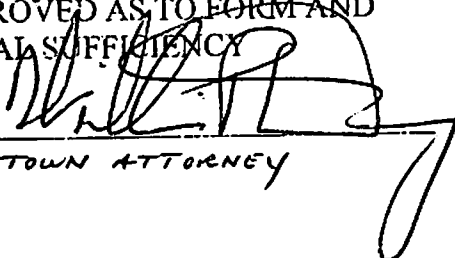
By: 
TOWN ATTORNEY

EXHIBIT "A"

LEAD PERMITTEE RESPONSIBILITIES

The responsibilities of the Lead Permittee as to the implementation and execution of the MS4 NPDES Permit No. FLS000018 are generally as follows:

- I. The timely preparation, coordination, and execution of interlocal agreements necessary to establish and implement the joint activities required by the Permit.
- II. The timely preparation, coordination, and submittal to FDEP each year during the term of this Agreement, of an annual report describing the activities carried out jointly to fulfill requirements in the permit.
- III. The timely preparation, coordination, and distribution of standardized forms and guidance documents as approved by NPDES Steering Committee to assist permittees in carrying out the terms of the MS4 NPDES Permit.
- IV. The timely preparation, coordination, and execution of a countywide public education and outreach program required by Part III.A.6, Part III.A.7.e. and Part III.A.7.f. as approved by the NPDES Steering Committee.
- V. The timely preparation and coordination of training materials to fulfill the requirements of Part III.A.6, Part III.A.7.c, Part III.A.7.d., Part III.A.9.b, and Part III.A.9.c of the MS4 NPDES permit, as approved by the NPDES Steering Committee.
- VI. The timely preparation, coordination, and submittal to FDEP of major watershed pollutant load estimates required by Part V.A. of the MS4 NPDES Permit.
- VII. The timely preparation, coordination, and execution of a monitoring program required by Part V.B. of the MS4 NPDES Permit.
- VIII. The timely coordination, assessment, monitoring, and execution of activities associated with FDEP's Total Maximum Daily Load (TMDL Program) as required by Part VIII.
- IX. The preparation and coordination of all MS4 NPDES Steering Committee workshops and meetings.
- X. The timely remittance of all necessary permit fees to FDEP, subject to the timely and sufficient collection of same for all other permittees.

The Lead Permittee Services described herein may be revised from time to time as required by each MS4 NPDES Permit, as agreed to in writing between the MS4 NPDES Steering Committee and Northern Palm Beach County Improvement District, which revisions shall be incorporated herein and made a part of this agreement.

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EXHIBIT "B"

**RESOLUTION NO. 2011-04
RESOLUTION OF THE BOARD OF SUPERVISORS OF
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT
APPROVING THE NPDES STEERING COMMITTEE ADMINISTRATIVE
PROCEDURES FOR COLLECTION, MANAGEMENT AND DISBURSEMENT
OF NPDES INTERLOCAL AGREEMENT FUNDS.**

WHEREAS, NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ("Northern") is an independent special district duly organized and validly existing under the Constitution and the Laws of the State of Florida, including applicable provisions of Chapter 298, Florida Statutes, and Chapter 59-994, Laws of Florida, as amended and/or supplemented; and

WHEREAS, the United States Environmental Protection Agency issued its National Pollutant Discharge Elimination System Permit No. FLS000018 (the "MS4 NPDES Permit") which is applicable to a number of governmental entities located in Palm Beach County, including Northern; and

WHEREAS, the Co-Permittees who make up the governmental bodies subject to the NPDES Permit have nominated and appointed Northern as the "Lead Permittee" for the purposes of assisting all Co-Permittees in the collection of general data required to be collected pursuant to the MS4 NPDES Permit and submission of reports to the Florida Department of Environmental Protection and the United States Environmental Protection Agency; and

WHEREAS, the Lead Permittee, Northern, is entering into separate Interlocal or Joint Participation Agreements with each of the Co-Permittees, which Agreements set forth the parties' respective duties and obligations regarding fulfillment of the terms and conditions of the MS4 NPDES Permit; and

WHEREAS, a seven member NPDES Steering Committee has been selected by the Co-Permittees, which Steering Committee is comprised of two (2) representatives of large municipalities, two (2) representatives of smaller municipalities, one (1) representative of special districts, one (1) representative for Palm Beach County, and the Lead Permittee; and

WHEREAS, on January 19, 2011 the NPDES Steering Committee, in order to provide a level of accountability and fiscal control for the benefit of all NPDES Co-Permittees as it relates to the Interlocal and/or Joint Participation Agreements being entered into between Northern and each Co-Permittee, adopted Administrative Procedures for the collection, management and disbursement of NPDES Interlocal Agreement Funds, a true and correct copy of which is attached hereto and identified as the NPDES Steering Committee Administrative Procedures; and

WHEREAS, Northern has been requested to adopt and comply with the aforementioned NPDES Steering Committee Administrative Procedures for purposes of

administering the funds to be paid to it pursuant to each NPDES Interlocal or Joint Participation Agreement.

NOW, THEREFORE, be it resolved by the Board of Supervisors of Northern Palm Beach County Improvement District as follows:

1. Northern Palm Beach County Improvement District does hereby adopt and agree to comply with the terms and conditions of the NPDES Steering Committee Administrative Procedures.

2. That Northern Palm Beach County Improvement District does hereby incorporate by reference the NPDES Steering Committee Administrative Procedures into each NPDES Interlocal and/or Joint Participation Agreement that it enters into with a Co-Committee.

3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

4. This resolution shall take effect immediately upon its adoption.

THIS RESOLUTION PASSED AND WAS ADOPTED THE 23RD DAY OF FEBRUARY, 2011.

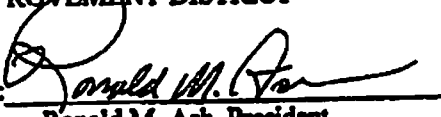
(DISTRICT SEAL)

NORTHERN PALM BEACH COUNTY
IMPROVEMENT DISTRICT

ATTEST:


O'Neal Bardia, Jr., Secretary

BY:


Ronald M. Ash, President

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

3. The third part of the document is a list of names and addresses of the members of the committee.

4. The fourth part of the document is a list of names and addresses of the members of the committee.

5. The fifth part of the document is a list of names and addresses of the members of the committee.

6. The sixth part of the document is a list of names and addresses of the members of the committee.

7. The seventh part of the document is a list of names and addresses of the members of the committee.

8. The eighth part of the document is a list of names and addresses of the members of the committee.

9. The ninth part of the document is a list of names and addresses of the members of the committee.

**NPDES STEERING COMMITTEE ADMINISTRATIVE PROCEDURES
FOR COLLECTION, MANAGEMENT AND DISBURSEMENT
OF NPDES INTERLOCAL AGREEMENT FUNDS**

The NPDES Steering Committee (which is comprised of two (2) representatives of large municipalities, two (2) representatives of smaller municipalities, one (1) representative of special districts, one (1) representative for Palm Beach County, and the Lead Permittee), has adopted the following administrative procedures in order to provide a level of accountability and fiscal control for the benefit of the NPDES Co-Permittees.

The administrative procedures adopted by the Steering Committee are as follows:

1. Alternative NPDES Interlocal Agreement Payment Schedules. In addition to the two (2) payment options set forth in Paragraphs 6.01 and 6.02 of the NPDES Interlocal Agreement, a Co-Permittee shall also be entitled to elect to pay the annual Funding Year payments on an equal quarterly installment basis. If this additional payment option is selected by a Co-Permittee, the quarterly payments for the First Funding Year are required to be paid on or before October 1, 2010, January 1, 2011, April 1, 2011 and July 1, 2011, with all future Funding Year quarterly payments to be paid in accordance with the same quarterly payment schedule.

NPBCID will be issuing one (1) invoice to each Co-Permittee for its annual Funding Year payment amount, following which the Co-Permittee shall then have thirty (30) days from the date of receipt of the invoice within which to select one of the three (3) payment options and to make its initial payment in accordance with the option so selected.

2. Income and Disbursement Accounting Documentation.

(A) A quarterly income and disbursement report shall be prepared by NPBCID. The report shall be delivered to the Steering Committee within forty-five (45) days following the end of each Funding Year quarter and thereafter distributed by the Steering Committee to the representative(s) of each Co-Permittee as identified in the NPDES Interlocal Agreements.

(B) The quarterly income and disbursement report shall be prepared by NPBCID in accordance with the format set forth in attached Attachment "A."

3. Budget Accounting Documentation. A quarterly budget accounting report shall be prepared by NPBCID. The report shall be delivered to the Steering Committee within forty-five (45) days following the end of each Funding Year quarter and thereafter distributed by the Steering Committee to the representative(s) of each Co-Permittee as identified in the NPDES Interlocal Agreement.

4. Reserve Fund Contingency Expenditures. Prior to any expenditures by NPBCID of funds contained in the Reserve Fund Contingency account identified in the NPDES Interlocal Agreement, NPBCID shall be required to subject its request to the Steering Committee members and receive approval from a super-majority of at least five (5) of the Steering Committee members.

5. Unexpected Additional Costs and Expenses. Prior to NPBCID incurring an obligation that will require a Co-Permittee to pay unexpected additional costs and expenses exceeding the amount held in the Reserve Fund Contingency, NPBCID shall be required to submit to the Steering Committee the nature of the event and the amount of the unexpected additional cost and expense. Upon receipt of such notification, the Steering Committee shall present the matter to the Co-Permittees at the next regularly scheduled Steering Committee NPDES meeting (unless it is an emergency matter in which event a special meeting will be promptly scheduled and notice given to all Co-Permittees) for consideration and vote by those representatives of the Co-Permittees present at the meeting. An affirmative vote by a simple majority (i.e., over fifty percent) of those representatives of the Co-Permittees present at the meeting (with only one (1) representative of each Co-Permittee being entitled to vote on the matter at issue) will be required before NPBCID is authorized to incur the subject unexpected additional costs and expenses.

6. NPDES Interlocal Agreement Budget Adoption Process. All future NPDES Interlocal Agreement Funding Year budgets shall be adopted in accordance with the following procedure:

(A) On or before Jan 31st ^{of} each Funding Year, NPBCID shall prepare and present to the Steering Committee a proposed budget for the next Funding Year.

(B) The Steering Committee shall consider the proposed next Funding Year budget at a regular Steering Committee meeting and open the matter to discussion by those Co-Permittee representatives present and attending the meeting.

(C) Adoption of the next Funding Year's budget shall require the approval of a super-majority of at least five (5) members of the Steering Committee.

(D) As a part of the Steering Committee's consideration of the next Funding Year's budget and calculation of each Co-Permittee's allocable share and responsibility for the funding of the budget, the Steering Committee may consider the application of any existing surplus funds as a credit towards each Co-Permittee's allocable funding shares. "Surplus funds" for the purpose of this administrative guideline may include unexpended and unencumbered present Funding Year funds or Reserve Fund Contingency amounts, plus accrued interest thereon, if any.

(F) The Steering Committee shall also be responsible for approving, by a simple majority of those Steering Committee members in attendance (provided there is a quorum) at a Steering Committee meeting, line item budget transfers.

APPROVED AND ADOPTED THIS 19TH DAY OF JANUARY, 2011.

ATTACHMENT "A"

NPDES QUARTERLY INCOME AND DISBURSEMENT REPORT
FISCAL YEAR _____
FOR PERIOD _____ TO _____

<u>CASH ON HAND</u> (date)		<u>XXX,XXX,XX</u>
REVENUE: _____ TO _____		
AGREEMENT FEES	<u>XXX,XXX,XX</u>	
<u>TOTAL REVENUES</u>	<u>XXX,XXX,XX</u>	<u>XXX,XXX,XX</u>
TOTAL CASH AND REVENUES AVAIL FOR EXPENDITURES		<u>XXX,XXX,XX</u>
<u>EXPENDITURES PAID DURING</u> _____ TO _____		
ENGINEERING	X,XX	
OTHER PROFESSIONAL FEES	X,XX	
MISCELLANEOUS EXPENSES	X,XX	
GOVERNMENTAL REGISTRATION FEES	X,XX	
LEGAL	<u>X,XX</u>	
<u>TOTAL EXPENDITURES</u>	<u>X,XX</u>	<u>X,XX</u>
<u>FUND BALANCE AT</u> (date)		<u>XXX,XXX,XX</u>
RESERVE FOR CONTINGENCIES		<u>-XX,XXX,XX</u>
<u>UNRESERVED FUND BALANCE</u>		<u>XXX,XXX,XX</u>

Summary Report

"Land Development Regulations and Code Review Aimed at Low Impact Design and Other Innovative Design Techniques"

(Submitted as **Attachment 3** to the Town of Jupiter Inlet Colony, Florida Permit Year 2, Third Term, NPDES Annual Report)

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EXECUTIVE SUMMARY

The Town of Jupiter Inlet Colony (JIC) has undertaken a complete review of its codes and land development regulations (LDRs) in regard to Low Impact Design (LID) and other innovative design techniques. Determinations are made as to the adequacy of these regulations, the current status of these regulations and recommendations for future actions, if, and when, deemed appropriate. Chapters of the JIC Code of Ordinances are identified which were determined to be relevant to this review. Specific sub-sections and paragraphs are cited, and in many cases quoted or discussed. LIDs relevant to this low density, single family community are identified. They include regulations and techniques governing grass swales; pervious and impervious surfaces; landscaping, including the Florida Yards and Neighborhood (FYN) program, and conservation; refuse, garbage, toxic wastes and other nuisances; and, a review of the adopted JIC Comprehensive Plan. It has been determined that the regulations governing these subject areas are meeting the needs of this nearly developed (1 vacant lot) community. It is recommended, however, that the Colony adopt a Fertilizer Ordinance during the 3rd year of the 3rd Term permit. It is further recommended that JIC make available to its residents the myriad of information regarding landscaping and 'water conservation' practices available through the FYN Florida Friendly Landscaping Program.

COMMUNITY PROFILE

Jupiter Inlet Colony is located in the northern portion of eastern Palm Beach County. The Village of Tequesta abuts the Colony on the north, the Loxahatchee River and Jupiter Inlet abut its southern boundary, and the Atlantic Ocean bounds its eastern limits. The westerly boundary is situated just west of the Intracoastal Waterway (ICWW) adjacent to Lighthouse Park in the Town of Jupiter. There are nearly 140 acres, or 0.2 square miles, contained within the corporate limits of the Colony.

The Colony was originally platted as a residential community, and is nearly built-out at the present time. The Town is developed primarily as a low density (0-5 dwelling units/acre) single family community with a combined administrative/police building and a private Beach Club located at the southeastern part of Town located where the Inlet meets the Atlantic Ocean. There is only one (1) vacant single family lot at the present time, and the Colony is 99.6% developed. Two (2) lane residential streets serve this community, and there is a network of walkways throughout Town for pedestrian use and access to the Ocean. Housing status, economic and social conditions of the population, the provision of essential services and the financial feasibility of accommodating the limited growth potential of this community has changed minimally since its original development.

PURPOSE

Low Impact Development is defined as, " a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning and distributed stormwater management practices that are integrated into a project design" (Integrating LID into Local Codes: A Guidebook for Local Governments, prepared by AHBL for Puget Sound Partnership, Final Draft, November, 2011).

All land development regulations (LDRs) contained within the Town of Jupiter Inlet Colony Code of Ordinances have been reviewed as part of this Summary Report. The purpose of this review was to identify what Low Impact Design (LID) techniques and other innovative planning techniques are adopted and being implemented and to determine what changes may be necessary to reduce stormwater impacts of new development and areas of significant development. A description of innovative planning techniques recommended for possible future inclusion into the Town's codes and regulations will be identified, and a description of the plan for implementing proposed changes will be cited.

As discussed in the MS4 Permitting Resource Manual, the Colony will focus on changes that will promote, or at least not discourage, LIDs such as grass swales, pervious sur-faces, minimum values for green/open spaces and/or maximum allowances for ground coverage, native landscaping/Florida Yards and Neighborhoods program, irrigation conservation, retention of stormwater runoff, increase in natural hydrology and other innovative LID principles.

CODES AND LAND DEVELOPMENT REGULATIONS REVIEW

All codes and regulations adopted by the Town of Jupiter Inlet Colony are contained in the JIC Code of Ordinances. The following Articles and Chapters were deemed relevant to this review and analyzed for purposes of this Summary Report. Specific Sections and Subsections within Chapters are referenced in the discussions herein.

- Chapter 4 - Buildings and Buildings Regulations
- Chapter 8 - Garbage and Refuse
- Chapter 9 - Nuisances
- Chapter 12 - Planning
- Chapter 19 - Vegetation
- APPENDIX A - Zoning Code, Article I, General Provisions
- APPENDIX A, Article II - Subdivision and Platting Regulations
- APPENDIX A Article II - Adequate Facilities and Concurrency Management

The Town of Jupiter Inlet Colony Comprehensive Plan is also reviewed as part of this analysis. Specifically, the Stormwater Management sub-element of the Infrastructure element, and the Coastal Management and Conservation elements contain Policies regarding stormwater mangement and stormwater management related issues.

LOW IMPACT DESIGN (LID) TECHNIQUES AND PRACTICES

A variety of LIDs are already being employed and implemented by the Town of Jupiter Inlet Colony. An identification and discussion of those techniques/practices are presented below. The Status of their use and effectiveness are stated and Recommendations are put forth, where necessary and appropriate, to further implement LIDs in the Colony.

Grass Swales

The entire Town of Jupiter Inlet Colony is served by 2-lane local residential streets with grass swales. There are no curb and gutters within the Colony. Swale areas are strictly regulated and subject to Town review and permitting requirements. Specifically, **Article 1, Chapter 4 - Buildings and Building Regulations, Sec. 4-8 - Landscaping or Regrading in Swale Areas, sub-sections a) - d) of the Jupiter Inlet Colony Code of Ordinances** state that:

a) the Town encourages the installation of sod within the swale areas of Town right-of-way and accordingly no permit shall be required for the installation of sod within such areas;

b) No person shall place or plant any vegetative landscape material within the Town right-of-way (swale areas abutting public streets) without first obtaining a permit from the Building and Zoning Commissioner upon review by the Building and Zoning Committee. In determining whether a permit for vegetative landscape material should be issued, the Building and Zoning Committee and Building and Zoning Commissioner shall consider whether the proposed installation:

- (1) Interferes with or impairs the Town stormwater drainage system;
- (2) Creates a safety hazard to vehicular or pedestrian traffic;
- (3) Otherwise impairs the health, safety or welfare of the citizens and visitors to Town.

c) No person shall grade or regrade any lands within the Town right-of-way without first obtaining a permit from the Town Building and Zoning Commissioner upon review by the Building and Zoning Committee.

(d) It shall be unlawful for any individual to place or have placed any impervious material including, but not limited to, asphalt, concrete crushed rock, landscape stone, brick pavers or other similar materials within the Town right-of-way. This subsection shall not preclude the installation of paved driveways extending from a public roadway to the privately-owned property; provided, the width of any such entry driveway(s) shall not exceed a total of twenty-four (24) feet in width for any lot or combination of lots improved with a residential structure.

Status: These regulations regarding grass swale areas have been, and continue to be, diligently reviewed and strictly enforced by the Building and Zoning Commissioner and Building and Zoning Committee in the development of the Colony.

Recommendation: *Since JIC is almost entirely built-out (only 1 single family residential vacant lot at the present time), there are no recommended changes to the existing regulations currently in the JIC Code of Ordinances (Chapter 4 - Buildings and Buildings Regulations), nor are there any additional regulations proposed.*

Pervious/Impervious Surfaces

Because JIC is developed primarily as a single family residential community, there is only one (1) zoning district established within the Colony; that being RS - Single Family Residential (**Ref. Section 2. - Establishment of Zoning Classification, APPENDIX A - Zoning Code**). Single family residences are permitted by right (**Ref. Section 11 - Uses Permitted, APPENDIX A - Zoning Code**) while the police/administration building and the community operated and owned beach club are permitted as conditional uses (**Ref. Section 12 - Conditional Uses, APPENDIX A - Zoning Code**). All regulations established in APPENDIX A - Zoning Code apply to all uses in JIC. The issue of 'pervious and impervious surfaces' is addressed in **Section 10. - Restrictions Upon Lands, Buildings and Structures, Subsection (C), Percentage of Lot Occupancy of the Zoning Code** by establishing a Maximum Lot Coverage allowable on each lot. Specifically, it is stated in Subsection (C) that, "In order to minimize the effect on natural environment conditions, maximize surface water drainage and run off, controlling building mass and density, a maximum of fifty (50) percent of any lot area may be developed, including pool, patios, porches, concrete pads, walks and driveways. Walks and driveways composed of any material shall be included in the calculation of lot occupancy". This maximum allowable percentage of lot coverage regulates the maximum amount of 'impervious surfaces' that can be imposed on individual lots. Most lots are not developed to this maximum percentage, therefore, allowing for more 'pervious surfaces'.

Sub-section(G) of the same Section 10 requires that, "All residential lots shall develop consistent with the low density classification (0-5.0 dwelling units/acre) established on the Future Land Use Map in the Future Land Use element of the adopted Town of Jupiter Inlet Colony Comprehensive Plan. In accordance with the low density classification, no more than one (1) single family residence shall be constructed on a platted lot of record" while the following Yard minimums are established as follows in **Section 1. - Definitions and Rules of Construction:**

Front Yard - Twenty five (25) feet
Rear Yard - Ten (10) feet
Side Yards - Ten (10) feet

Section 10 - Restrictions Upon Lands, Buildings and Structures, Sub-section (D) establishes Open Space Use Limitations which states that, "No yard or open space provided about any building or structure....shall be considered as providing a yard or open space for any other building or structure". In other words, Yard areas must be free of buildings and structures. The limitations of one (1) building per lot and open Yard areas provides for more 'pervious' area on lots, or expressed in another way, limits the amount of 'impervious' areas per lot.

Driveway and parking space materials in both non-residential and residential areas are regulated under Section 10 of the Zoning Code, as well. **Specifically, Section 10, Subsection (I) - Off-Street Parking Nonresidential of Section 10 under paragraph (6) - General Provisions (f) and Subsection (J) - Off Street Parking Residential under paragraph (3)** both allow for the use of Paver stones or bricks (pervious surfaces) as an alternative to asphalt or concrete, the other permissible materials. **Section 10, Subsection (J) regarding residential off street parking in Paragraph (4) of the Zoning Code** further emphasizes the use of on-site control techniques by requiring that, "Driveway(s) and parking areas shall be drained so as to not cause any nuisance or detriment to adjacent to private or public property through the use of on-site control techniques for stormwater run-off such as, but not limited to permeable surfaced, French drains, catch basins, swales or other accepted methods of stormwater run-off".

Article II - Subdivision and Platting Regulations of APPENDIX A, JIC Code of Ordinances in Section 52 - Requirements and Conditions, Paragraph (B) establishes that, "All roads within Jupiter Inlet Colony shall be constructed with a maximum of two (2) lanes of pavement and operate at a maximum Level of Service A for two (2) lane facilities, pursuant to the Town's adopted Comprehensive Plan". **Policy 1.2 in the Transportation element of the Town's adopted Comprehensive Plan** establishes the maximum two (2) lanes of pavement for all roads in JIC while **Policy 1.8 in the Transportation element** establishes a Level of Service A for all roads in the Colony. No development of any kind shall be issued by the Town if Level of Service A on any road in Jupiter Inlet Colony were to be exceeded because of a development approval". Maximum forty (40) foot rights -of-way are established in **Paragraph (C) of Section 52 - Requirements and Conditions**. These restrictions assure that the amount of 'impervious' surfaces used for roadways will be minimized because of the low density residential nature of development in JIC as would be compared to communities of more varied and intense development potential. Finally **Section 52, Paragraph (D)** ensures that, "The developer shall provide such facilities and easements as to ensure proper drainage of the roads and subdivisions to positive outlets", according to the Level of Service Standards established in the Stormwater, sub-element of the Infrastructure element adopted in the Town's Comprehensive Plan and expressed as follows:

Design Storm

Drainage: Five (5) year frequency, 24 hour duration (one day); rainfall intensity curve.

The Drainage Level of Service Standard is also expressed and adopted in **Article III - Adequate Facilities and Concurrency Management of APPENDIX A of the JIC Zoning Code**.

Status: The regulations cited above establish limitations to the amount of land area that can be developed as 'impervious' areas on each lot in JIC. Likewise, these regulations limit the amount of 'impervious' surfaces permitted on developable lots while requiring significant 'pervious' areas on those lots.

Recommendation: *No changes to existing development regulations are proposed due to the built-out nature of the Colony. No new regulations are necessary, or proposed, for the same reason.*

Landscaping/Florida Yards and Neighborhoods Program/Conservation

The provisions and requirements of **Chapters 4 and 19, JIC Code of Ordinances** contain landscaping regulations and concerns about the use of 'native' vegetation, the elimination of exotic vegetation, the protection of certain species, the conservation of trees to the maximum extent possible and other LID practices and techniques.

Landscaping regulations adopted by the Town of Jupiter Inlet Colony are contained within **Chapter 4 - Buildings, and Building Regulations, Section 4.2 (d) - Landscaping and landscape plans, Code of Ordinances**. These regulations require that all plantings be defined and identified on submitted landscape plans and that 'native species' shall be used which are in accord with South Florida Water Management District Xeriscape practices when considering proposals for development or redevelopment (**Ref. Chapter 4, Section 4-2, Paragraphs (d) (1) and (9)**). **Paragraph ((6) requires that, Paragraph (10)** further states that, "Whenever possible, existing trees shall be conserved and integrated into the landscaping design plan".

Chapter 19 - Vegetation, Section 19-1 - Protective growth on beaches and natural environment, Paragraph (c), Code of Ordinances addresses the removal of exotic vegetation (pest exotics as well) and requires their replacement with 'native' vegetation.

Paragraph (d) of Chapter 19, Section 19-1 aims to protect "... all nuisances and invasive exotic vegetation... by requiring that exotics be removed and replaced with plantings adapted to existing soil and climatic conditions, unless such exotic species are listed on the Xeriscape list of plant species adopted by the South Florida Water Management District". **Paragraph (d)** also requires that, " Removal shall be in such a manner that avoids seed dispersal by such species. There shall be no planting of pest exotic vegetation".

The protection of endangered, threatened and species of special concern are addressed in this Chapter also. **Paragraph (c)** states that, "In the clearing of lots, the protection of species of flora and fauna that are endangered, threatened or are species of special concern shall be protected to the fullest extent possible".

The Palm Beach County (PBC) NPDES Steering Committee has developed a model Fertilizer Ordinance, in coordination with FDEP, as part of its MS4 stormwater permitting program. It was developed for use as a guide for adaptation to each co-permittees entity, if such a Fertilizer Ordinance is deemed required. Only those entities whose stormwater runoff discharge into 'nutrient impaired' waters are required to adopt a Fertilizer Ordinance. A portion of the Town of Jupiter Inlet Colony's stormwater management/drainage system, as delineated by FDEP Maps, discharges into the Intracoastal Waterway which has been identified as having ' nutrient impaired' waters.

The Florida Yards and Neighborhoods (FYN) Florida Friendly Landscaping program offers educational and suggested LID practices and principles that will help protect ground water, surface waters and the natural environment. It is important to reduce water usage and runoff and to use plants in landscaping that will flourish on the amount of rainfall received in Palm Beach County. Healthy plants filter runoff and slow erosion. FYN Florida Friendly program offers suggestions on 'water conservation' and as well as suggested materials to slow and clean runoff and to use materials such as mulch to retain water moisture which reduces competition for water between plant species. Other irrigation conservation practices include watering plants and landscaping early in the morning so plants are not wet overnight. This reduces water loss and the chances of disease. The use of rain sensors on irrigation systems are used to turn off irrigation when not in use while using mulch helps to retain soil moisture which reduces competition for water between plant materials.

FYN also encourages the use of less toxic or non-toxic products in controlling and managing pests in landscaped areas, thus reducing or eliminating toxic substances from entering ground or surface waters. FYN has many recommendations regarding the use of fertilizers and how to help contain its use from entering ground and surface waters. JIC is surrounded on three (3) sides by water bodies (i.e. Atlantic Ocean, Jupiter Inlet and the ICWW). FYN offers practices such providing buffer areas between fertilized and lawn cutting areas and a water body. These are just some of the LID Practices and principles offered by the FYN Florida Friendly Landscaping program.

Status: The landscaping and vegetation regulations adopted by JIC have been adequate to monitor and enforce good LID practices, principles and techniques. The Colony has not adopted a Fertilizer Ordinance at the present time. JIC will be required to adopt such regulations. Applicators will have to be appropriately trained and certified in fertilizer application. The companies used by JIC for fertilizer (and pesticide) application will likely have appropriate certifications and licenses that will qualify the Colony in these applications. The FYN Florida Friendly Landscaping program is relatively new, and the LID practices and techniques have not been necessarily provided to the community at-large.

Recommendation: *It is not necessary to recommend any changes to the existing landscaping and vegetation regulations for a community that is fully developed. It is recommended that JIC adopt a Fertilizer Ordinance in the 3rd year (2013) of the 3rd Term permit.. It is further recommended that the Colony provide as much information to its resident (in the form of flyers, brochures, web sites and other available educational aides) to educate its community about the use and application of plant types and materials, use of fertilizers and pesticides, use of 'water conservation' techniques (e.g. pavers, stones, gravel, mulch, rain sensors on irrigation systems and others) and the myriad of useful information provided through the FYN Florida Friendly Landscaping program.*

Refuse, Garbage, Toxic Materials and Other Nuisances

The Town of Jupiter Inlet Colony regulates the collection and containment of refuse, garbage, litter and toxic materials at residential, non-residential and construction sites in **Chapter 8 - Garbage and Refuse and Chapter 9 - Nuisances of its Code of Ordinances**. These regulations are aimed at keeping these materials out of the ground and surface waters which eventually discharge into protected waters. **Chapter 8 - Garbage and Refuse Section 8-6 - Trash containers at construction sites, Paragraph (b)** requires that, "All construction sites shall provide a dumpster or other container for the disposal of debris from construction material. Such dumpster or other container shall not be placed within the Town's right-of-way and shall be of a sufficient size to properly hold all trash and debris generated at the site. Such dumpster or other container shall be collected at such time(s) when the trash and /or debris placed therein is visible when viewed from eye level from the public right-of-way or from adjacent property". **Section 8-6 - Littering** stipulates that, " No person shall drop, throw or place on any vacant lot....or in the Atlantic Ocean..Loxahatchee River or the Inland Waterway any trash, refuse, filth or matter or anything whatever where it might be blown or washed into and contaminate these waters". **Section 8-10 - Toxic and hazardous substances** further stipulates that, "It shall be unlawful to dispose of toxic and hazardous materials, as identified in the generic substances list attached as Exhibit "A" to this section (Ordinance No. 144-90-9), into garbage or trash generated by residences or non-residential structures within the corporate limits of the Town".

Chapter 9 - Nuisances, Section 9-8 - Fugitive dust or blowing sand, Paragraph (a) states that, "It is unlawful for any owner, tenant, contractor or other person, to cause, permit or allow the emissions of particulate matter from any source whatsoever including, but not limited to, incidents caused by vehicular movement, transportation of materials, wind, construction, alteration, demolition or wrecking of buildings or structures, failure to plant or maintain sod or landscaping so as to control the blowing of sand or dirt, or the stockpiling of sand or dirt, without taking reasonable precautions to prevent such emissions or to preclude fugitive particulates that may trespass on neighboring properties. In the case of stockpiled particulate materials, such materials shall be stabilized by adequate covering, by wetting or by chemical application to the satisfaction of the building commissioner". Violation of this /section shall be grounds for issuance of a stop order. **Chapter 9, Section 9-7 - Clearing; securing of construction sites** addresses securing construction sites when hurricane watches are issued. In short Paragraph (a) states that when a hurricane watch is issued the owner or contractor within twenty four (24) hours of a hurricane watch shall insure that all construction materials, equipment, debris or other items must be removed, stored or properly secured on the property so as not to present a danger in the event of high winds or hurricane. If the owner or contractor does not perform these duties, the Town building official may materials removed, secured or stored at the cost to the owner or contractor;, the Town can place a lien of the property where the construction is being performed.

Status: The Town of Jupiter Inlet Colony is adequately addressing and enforcing appropriate regulations regarding the collection, disposal and containment of garbage, refuse, dust and particulate matter, and toxic and hazardous materials at construction sites as well as at individual residences and non-residential areas.

Recommendation: *No changes to regulations regarding the collection, disposal and containment practices for garbage, refuse, litter and particulates matter is proposed because of the limited development potential of any already developed community. The handling of toxic and hazardous substances is the responsibility of other jurisdictions as identified in the Town of Jupiter Inlet Colony Annual NPDES Report. These efforts should be closely coordinated with those entities.*

JIC COMPREHENSIVE PLAN

The Town of Jupiter Inlet Colony Comprehensive Plan is adopted by reference in **Section 12 - Planning, in Section 12-1 - Adoption of Comprehensive Plan of the JIC Code of Ordinances**. The Colony's Stormwater Management Policy is iterated in **Policy 3.2 of the Infrastructure element**:

Policy 3.2 : The basic drainage policy shall consist of the following components:

1. Continue routine maintenance of catch basins and conduits.
2. Regulate swale plantings and sodding.
3. Encourage appropriate land use activities in flood prone areas.
4. Protect environmentally sensitive areas by controlling adjacent activities.
5. Require use of vegetation, mulches and berms for control of pollutants from construction sites.
6. Enforce the Flood Protection Ordinance to maintain the flooding protection provided by natural features.
7. The existing drainage system has been designed to accommodate build-out; therefore, the maximum of the system shall be required to be maintained.
8. The Town shall comply with the State's Stormwater Control Rule, Chapter 17-25, Florida Administrative Code, should any new additional stormwater discharge facilities become necessary to the Town's existing drainage system or should any major repairs become necessary or redevelopment take place.

Policy 2.6 of the Conservation element of the Comprehensive Plan emphasizes cooperating with the Village of Tequesta (as the Town's water supplier) in the development and implementation of water reuse programs, to the extent that they are applicable to Jupiter Inlet Colony. Water reuse programs would provide good conservation alternatives. There are no reuse facilities in place that could be utilized by the Colony at the present time.

The continued participation of Jupiter Inlet Colony in the Palm Beach County NPDES (National Pollution Discharge Elimination System) Stormwater Permitting Program is assured by adoption of **Policy 3.3 in the Infrastructure element and Policy 1.4 of the Conservation element** of the Comprehensive Plan.

There are various Policies adopted in the Comprehensive Plan that address landscaping, vegetation and the amounts of pervious/impervious areas allowed in development and redevelopment situations. **Policy 7.2 in the Infrastructure** element requires that the Town shall require the use of xeriscape plants and practices established by the South Florida Water Management District (SFWMD) while **Policy 1.6 in the Infrastructure element** dictates that that no more than 50% of the developed area may be in impervious areas. **Policy 2.3 in the Coastal Management** element further states that the Town shall maintain landscape regulations which stress the use of vegetation to help filter stormwater pollutants.

The various Policies adopted in the JIC Comprehensive Plan have led to the establishment of many of the Town's adopted LDRs. The Comprehensive Plan and adopted LDRs must be consistent per State planning requirements. The Town of Jupiter Inlet Colony's Comprehensive Plan and LDRs are consistent with all planning and LDR requirements to date. These plans and programs in concert with Town's NPDES program are designed to create a cohesive and inclusive relationship between planning, regulations, implementation and coordination of actions. This is especially relevant to the maintenance of an efficient stormwater management program.